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THE  
**Statutes at Large,**

FROM THE  
23<sup>d</sup> to the 26<sup>th</sup> Year of King GEORGE II.

BY  
DANBY PICKERING, of GRAY'S INN, Esq.

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THE  
**Statutes at Large,**

FROM THE

23<sup>d</sup> to the 26<sup>th</sup> Year of King GEORGE II.

To which is prefixed,

A TABLE containing the TITLES of all the STATUTES  
during that Period.

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VOL. XX.

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By DANBY PICKERING, of Gray's-Inn, Esq;  
Reader of the Law Lecture to that Honourable Society.

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*CUM PRIVILEGIO.*



# TABLE of the STATUTES,

Containing the Titles of all such Acts as are extant in print, from the Twenty Third to the Twenty Fifth Year of King GEORGE II. inclusive.

Anno 23 Georgii II.

Cap. 1. **F**OR reducing the several annuities, which now carry an interest after the rate of four pounds *per centum per annum*, to the several rates of interest therein mentioned.

Cap. 2. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and fifty.

Cap. 3. For continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifty.

Cap. 4. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

Cap. 5. For enlarging the term and powers granted by an Act passed in the fifth year of the reign of his present Majesty, for repairing and amending the roads leading from the town of *Manchester* in the county of *Lancaster*, through the town of *Astton under Line*, and parish of *Mottram Longdendale*, and from *Poole* to *Salters Brook* in the county palatine of *Chester*.

Cap. 6. For repairing, improving and maintaining the haven and piers of *Great Yarmouth*; and for deepening, and making more navigable the several rivers emptying themselves into the said haven; and also for preserving ships, wintering therein, from accidents by fire.

VOL. XX.

Cap. 7. For enlarging the term and powers granted and continued by two former acts of parliament, for repairing, widening and amending the roads from *Wigan* to *Preston* in the county palatine of *Lancaster*; and for making the said acts more effectual.

Cap. 8. For enlarging the term and powers granted and continued by two acts of parliament, for amending the highways leading from *Brampton Bridge*, to *Wilsford Bridge* in the county of *Northampton*, and the great post road from *Morter Put Hill* to *Chain Bridge*, leading into *Market Harborough* in the county of *Leicester*; and for explaining and making more effectual the said acts; and also for repairing the roads leading from *Morter Put Hill* and *Brampton Bridge* to the town of *Northampton*.

Cap. 9. For repealing the duties now payable upon *China* raw silk, and for granting other duties in lieu thereof.

Cap. 10. For enlarging the term and powers granted by an act passed in the fourth year of the reign of his present Majesty, For repairing the road leading from the town of *Fulham* in the county of *Middlesex*, through *Fulham fields*, to the great road near the pound at *Hammer Smith*, in the said county.

Cap. 11. To render prosecutions for perjury, and subornation of perjury, more easy and effectual.

Cap. 12. For improving the navigation



## A TABLE of the STATUTES.

tion of the river *Loyne*, otherwise called *Lute*; and for building a quay or wharf, near the town of *Lancaster*, in the county palatine of *Lancaster*.

Cap. 13. For the effectual punishing of persons convicted of seducing artificers in the manufactures of *Great Britain* or *Ireland*, out of the dominions of the crown of *Great Britain*; and to prevent the exportation of utensils made use of in the woollen and silk manufactures from *Great Britain* or *Ireland*, into foreign parts; and for the more easy and speedy determination of appeals, allowed in certain cases, by an act made in the last session of parliament, relating to persons employed in the several manufactures therein mentioned.

Cap. 14. For assigning a place proper for holding the market in the city of *Westminster*, in lieu of the ancient market place called the *Round Woolstaple*; and for regulating the said market.

Cap. 15. For taking down several buildings, and enlarging the streets and market places in the city of *Gloucester*.

Cap. 16. For granting to his Majesty the sum of one million to be raised by annuities at three pounds *per centum per annum*, and charged on the sinking fund, transferrable at the bank of *England*.

Cap. 17. For repairing the roads leading from *Dunglas Bridge* to the town of *Haddington*; and from thence to *Ravensthaughburn* in the county of *Haddington*.

Cap. 18. For enlightning the open places, streets, lanes, passages and courts; and for the better regulating the nightly watch, within the parish of *Saint John Southwark* in the county of *Surrey*.

Cap. 19. For making more effectual several acts of parliament passed for cleansing and making navigable

the channel from the *Hithe* at *Colchester* to *Wivenhoe* in the county of *Essex*; and for repairing and cleansing the streets and lanes of the town of *Colchester*.

Cap. 20. For encouraging the growth and culture of raw silk in his Majesty's colonies or plantations in *America*.

Cap. 21. For granting to his Majesty the sum of nine hundred thousand pounds out of the sinking fund, for the service of the year one thousand seven hundred and fifty; and for applying certain surplus monies remaining in the exchequer, as part of the supply of the said year; and for the application of certain savings in the hands of the paymaster general; and for obviating a doubt in an act of the fifth year of King *George* the First, in respect to the payment of certain annuities thereby granted for the improvement of fisheries and manufactures in *Scotland*; and for the further appropriating the supplies granted this session of parliament; and for giving further time for the payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices; and for transferring the bounties now payable upon the exportation of *British* sail cloth, to the customs; and for enforcing the laws against the clandestine importation of soap, candles, and starch, into this kingdom.

Cap. 22. For giving further time to the proprietors of annuities, after the rate of four *per centum per annum*, to be paid in the manner and on the terms therein mentioned, and for redeeming such of the said annuities as shall not be so funded; and for empowering the *East India Company* to raise certain sums by transferrable annuities.

Cap. 23. To continue several

## A TABLE of the STATUTES.

- for preventing the spreading of the distemper which now rages amongst the horned cattle, and for empowering his Majesty to prohibit the killing of cow calves.
- Cap. 24. For the encouragement of the *British* white herring fishery.
- Cap. 25. For making good a deficiency upon the revenue of the office of keeper or clerk of the hanaper, and for preventing any future deficiency therein, to answer the publick services provided for out of the same; and for augmenting the income of the office of master or keeper of the rolls.
- Cap. 26. To continue several laws for the better regulating of pilots, for the conducting of ships and vessels from *Dover*, *Dcal*, and *Isle of Thanet*, up the rivers of *Thames* and *Medway*; and for permitting rum or spirits of the *British* sugar plantations to be landed before the duties of excise are paid thereon; and to continue and amend an act for preventing frauds in the admeasurement of coals within the city and liberty of *Westminster*, and several parishes near thereunto; and to continue several laws for preventing exactions of occupiers of locks and weirs upon the river *Thames* westward, and for ascertaining the rates of water carriage upon the said river; and for the better regulation and government of seamen in the merchants service; and also to amend so much of an act made in the first year of the reign of King *Charles the First*, as relates to the reservation of salmon in the *Ribble*; and to regulate the assizes, and *Abolition* on records, issuing process of pleas &c. the courts of *Exchequer*; and for the apprehending of persons in any county or place, upon warrants issued by justices of the peace in any other county or place, and to repeal so much of an act made in the twelfth year of the reign of King *Charles the Second*, as relates to the time during which the office of excise is to be kept open each day, and to appoint for how long time the same shall be kept open upon each day for the future; and to prevent the stealing or destroying of turnips; and to amend an act made in the second year of his present Majesty, for better regulation of attornies and solicitors.
- Cap. 27. For the more easy and speedy recovery of small debts within the city and liberty of *Westminster*, and that part of the dutchy of *Lancaster* which adjoineth thereto.
- Cap. 28. To explain part of an act passed in the thirteenth and fourteenth years of the reign of King *Charles the Second*, for the uniformity of publick prayers, and administration of sacraments; and also part of an act passed in the thirteenth year of the reign of Queen *Elizabeth* for the ministers of the church to be of sound religion.
- Cap. 29. To encourage the importation of pig and bar iron from his Majesty's colonies in *America*; and to prevent the erection of any mill or other engine for slitting or rolling of iron, or any plateing forge to work with a tilt hammer, or any furnace for making steel, in any of the said colonies.
- Cap. 30. For the more easy and speedy recovery of small debts within the *Tower Hamlets*.
- Cap. 31. For extending and improving the trade to *Africa*.
- Cap. 32. For granting to his Majesty certain duties upon such species of sail cloth as are therein mentioned, which shall be imported from *Ireland* into *Great Britain*, during the time therein limited.
- Cap. 33. For preventing delays and expences in the proceedings in the county court of *Middlesex*; and

## A TABLE of the STATUTES.

- for the more easy and speedy recovery of small debts in the said county court.
- Cap. 34. For permitting raw silk of the growth or produce of *Persia*, purchased in *Russia*, to be imported into this kingdom, from any port or place belonging to the empire of *Russia*.
- Cap. 35. For making a better and more effectual provision for the relief of the poor, for the cleansing the streets, and for keeping a nightly watch, within the parish of Saint *Martin in the Fields*, within the liberties of the city of *Westminster*.
- Cap. 36. For settling a stipend or maintenance upon the rector of the parish of *Saint George the Martyr*, in the borough of *Southwark*, in the county of *Surrey*, and his successors, in lieu of tythes.
- Cap. 37. For building a bridge cross the river of *Thames*, from *Hampton Court* in the county of *Middlesex*, to *East Moulsey* in the county of *Surrey*.
- Cap. 38. For repairing the road from the city of *York* over *Skipbridge*, to *Boroughbridge* in the county of *York*.
- Cap. 39. For the more effectual repairing and preserving the piers and harbour of *Whitby* in the county of *York*.
- Cap. 40. For repairing and widening the roads leading from *Egremont* to *Dudden Bridge*, *Santon Bridge*, and *Salthouse*, in the county of *Cumberland*.
- Private Acts.*
- Anno 23 Georgii II.*
1. An act for naturalizing *Thomas Abraham Ogier*, *Peter Henry Gauvain*, and others.
  2. An act for naturalizing *Charles Lindegren*.
  3. An act for naturalizing *Henry Joly*.
  4. An act for naturalizing *Germain Larcie*.
  5. An act for vesting in trustees certain leases and estates therein mentioned, of and in the manors of *Spalding* and *Holbeck*, and of several lands, tenements and hereditaments to the same belonging, in the county of *Lincoln*, which were forfeited by *James* late duke of *Monmouth*, put in exigent upon an indictment of high treason, to the intent that the loss of the record of such indictment, and of the *Capias* and exigent thereon, may be supplied for the purposes therein mentioned.
  6. An act to empower the committees of *Thomas* earl of *Bradford*, a lunatick, to lay out part of his personal estate in the purchase of lands and estates of inheritance for the purposes therein mentioned.
  7. An act to enable his Majesty to grant the inheritance of the manor of *Garstang* in the county of *Lancaster*, and of a messuage or tenement in *Newbigginge* in *Lonsdale*, in the county of *Westmoreland*, to trustees, in trust for the honourable *Edward Walpole* esquire, and his heirs, upon a full and valuable consideration to be paid for the same.
  8. An act to enable *Roger Mortlock*, doctor in divinity, now called *Roger Pettward*, and the heirs of his body, to take and use the surname and arms of *Pettward*.
  9. An act to enable *Beckford Kendall* esquire, now called *Beckford Kendall Cater*, and his issue male, to take and use the surname and arms of *Cater*.
  10. An act for naturalizing *John Peter Mandrot*, *Lewis Chabansel*, *William de Drusina*, and others.
  11. An act for naturalizing *Isaac Schenberg*, doctor in physic.
  12. An act for naturalizing *Eugelbert Hake*.
  13. An act to empower the guardians of *Henry* earl of *Pembroke* and *Montgomery*, an infant, to make leases

## A TABLE of the STATUTES.

- leases of his real estate during his minority.
14. An act to enable *Hugh* earl of *Northumberland*, and *Elizabeth* countess of *Northumberland* and baroness *Percy*, his wife, and their children, progeny, and issue, to take and use the name of *Percy*, and bear and quarter the arms of the *Percies* earls of *Northumberland*.
  15. An act for sale of part of the settled estate of Sir *Thomas Mowbray* baronet, in the county of *Anglesey*, for payment of debts, and for providing a recompence to his eldest son and issue in lieu thereof.
  16. An act for establishing a partition made between dame *Mary Latre*, and others, of divers estates in the parishes of *West Thorock* and *Stifford*, in the county of *Essex*, in pursuance of several orders of the high court of *Chancery*.
  17. An act for empowering trustees to cut down and sell timber upon the estate late of *John Trevor* esquire, in the counties of *Denbigh* and *Flint*, for discharging his debts, and also to make leases of mines in the said counties.
  18. An act for investing part of the personal estate of *Charles Churchill* esquire, deceased, in the purchase of land to be settled, pursuant to an agreement in the settlement made on the marriage of *Charles Churchill* junior esquire, with the lady *Maria Walpole*.
  19. An act for sale of the manor of *Mursley*, and other estates in the county of *Bucks*, lately belonging to *Hugh Barker* the younger esquire, deceased, pursuant to an agreement made with his executors for that purpose.
  20. An act for making effectual an agreement for sale of a messuage at *Longfield* in the county of *Berks*, with the appurtenances, late of the estate of colonel *Charles Lanoe*, deceased, to *Alexander Walker* esquire.
  21. An act for sale of the estates devised by the will of *John Hilton* esquire, deceased, and for applying the money arising thereby in the payment of his debts and legacies.
  22. An act for explaining and amending several powers contained in the settlements made in the marriage of *Henry Walters* gentleman, and *Anne* his wife, for rendering the same more effectual for the purposes thereby intended.
  23. An act to empower the executors and trustees of *Samuel Shephard* esquire, deceased, to sell his houses at *Exning* in *Suffolk*, and in *Cavendish Square*, and the plate and furniture thereto belonging, and to apply the money produced by such sale, as the court of *Chancery* shall direct or appoint.
  24. An act for sale of part of the estates of *John Needham* esquire, and *Anne* his wife; *John Leche* esquire, and *Mary* his wife; and *Elizabeth Hurleston*, for discharging incumbrances affecting the same, and other purposes therein mentioned.
  25. An act to enable *William Cowper* esquire, to settle a jointure upon his present wife, and to make leases of certain estates in the county of *Hertford*.
  26. An act for empowering trustees to raise money out of the settled estate of *Robert Dolman* esquire, for discharging several debts and sums of money contracted and borrowed by him.
  27. An act for vesting the estates of *Richard Stanley* esquire, a lunatick, lying in the counties of *Kent* and *Middlesex*, in trustees, to be sold for the payment of several debts and incumbrances thereon, and for other purposes therein mentioned.
  28. An act to sell part of the settled estate of *Thomas Sergison* esquire, and to lay out the money arising thereby, in the purchase of lands and hereditaments to be settled in lieu thereof.

## A TABLE of the STATUTES.

29. An act to enable *William Nisbet* of *Dirleton* esquire, and the heirs of intail for the time being, to make leases of lands in the county of *Haddington*, and for other purposes therein mentioned.
30. An act for raising money by sale or mortgage of the estate of *Garton Orme* esquire, in the county of *Suffex*, for the payment of his debts, and the portion of *Charlotte Orme* his daughter, and for other purposes therein mentioned.
31. An act for inclosing and dividing certain common fields and common grounds, called *Nether Heyford Common Fields*, lying and being in the parishes of *Nether Heyford*, *Stow with nine Churches*, and *Bugbrooke*, in the county of *Northampton*, and for extinguishing all right of common in certain meadows, pastures, and inclosed grounds in the said parishes, and providing a recompence to the rectors of the said parishes, in lieu of tythes.
32. An act for confirming articles of agreement for inclosing and dividing the commons and waste grounds within the manor of *Culcheth* in the county of *Lancaster*.
33. An act for securing the sole property, benefit and advantage of an engine invented by *Israel Pownoll*, deceased, for raising ballast, fullage, and sand, and for removing banks, shelves and shoals, in rivers and harbours, to the children of the said *Israel Pownoll*, for a certain term of years.
34. An act for naturalizing *Jacob Van Wylick*.
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- Anno 24 Georgii II.*
- Cap. 1. For continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifty one.
- Cap. 2. For granting to his Majesty the sum of two millions one hundred thousand pounds, to be raised by annuities, and a lottery, and charged on the sinking fund, re- deemable by parliament.
- Cap. 3. For enlarging the term and powers granted by an act passed in the twelfth year of the reign of his present Majesty, for repairing the road between *Stamford* and *Grantham* in the county of *Lincoln*; and for making the same more effectual.
- Cap. 4. For enabling his Majesty to raise the several sums of money therein mentioned, by exchequer bills, to be charged on the sinking fund; and for empowering the commissioners of the treasury to pay off the old and new unsubscribed *South Seas* annuities out of the supply granted to his Majesty for the service of the year one thousand seven hundred and fifty one; and for enabling the bank of *England* to hold general courts, and courts of directors, in the manner therein directed; and for giving certain persons liberty to subscribe bank and *South Seas* annuities omitted to be subscribed pursuant to two acts of the last session of parliament.
- Cap. 5. To indemnify persons who have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose.
- Cap. 6. For punishing mutiny and desertion; and for the better payment of the army and their quarters
- Cap. 7. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and fifty one.
- Cap. 8. For the better carrying on, and regulating, the navigation of the river *Thames* and *Isis*, from the city of *London* westward to the town

## A TABLE of the STATUTES.

- town of *Cricklade* in the county of *Wilts.*
- Cap. 9. For repairing the road leading from *West-Lavington* to the *Devizes*, and from the *Devizes* to *Seend*, in the county of *Wilts.*
- Cap. 10. For enlarging the term and powers granted by two acts of parliament, for repairing the highways through the several parishes of *Saint Michael*, *Saint Alban*, *Saint Peter*, *Shenley-Ridge*, and *South-Mims*, in the counties of *Hertford* and *Middlesex.*
- Cap. 11. For reducing the interest upon the capital stock of the *South Sea* company, from the time, and upon the terms, therein mentioned; and for preventing of frauds committed by the officers and servants of the said company.
- Cap. 12. For appointing commissioners to put in execution an act made in the twenty second year of the reign of King *Charles* the Second, for making navigable the rivers commonly called *Brandon* and *Waveney*; so far as the same relates to the navigation of the river commonly called the *Lesser Ouze*, from *Thetford* to *Brandon*, and from *Brandon* to a place called the *White House*, near *Brandon Ferry*, in the counties of *Norfolk* and *Suffolk.*
- Cap. 13. For repairing the road from *Crosford Bridge*, through the townships of *Stretford* and *Hulme*, to the town of *Manchester*, in the county palatine of *Lancaster.*
- Cap. 14. For explaining and amending an act passed in the twenty first year of the present Majesty, for the relief of the warden and the mystery of *M* of London, and therein mentioned.
- Cap. 15. For enabling the parishioners of *Saint Mary*, *Isling-* the county of *Middlesex*,
- to rebuild the church of the said parish.
- Cap. 16. For the more speedy and easy recovery of small debts within the city of *Lincoln*, and county of the same city, and the liberties and precincts thereof; and within the bail of *Lincoln* in the county of *Lincoln.*
- Cap. 17. For repairing the road leading from the east end of *Brumpton High Lane* in the county of *York*, to the town of *Richmond*, and from thence to and through the towns of *Askrigg* and *Ingleton* in the said county, to the town of *Lancaster* in the county of *Lancaster.*
- Cap. 18. For the better regulation of trials by jury; and for enlarging the time for trials by *Nisi Prius* in the county of *Middlesex.*
- Cap. 19. For making the river *Nar* navigable, from the town and port of *King's Lynn*, to *Westacre*, in the county of *Norfolk.*
- Cap. 20. For repairing and widening the road from *Preston* to *Lancaster*, and from thence to a place called *Heiring Syke*, that divides the counties of *Lancaster* and *Westmorland.*
- Cap. 21. For enlarging the term and powers granted by an act passed in the third year of the reign of his present Majesty, for repairing and amending the several roads leading from *Woodstock* through *Kiddington* and *Enstone* to *Rollright Lane*, and from *Enslow Bridge* to *Kiddington* aforesaid, in the county of *Oxford*; and for making the said act more effectual.
- Cap. 22. For explaining and amending so much of an act passed in the fourteenth year of the reign of his present Majesty for the repairing and enlarging the roads from the town of *Selby*, in the west riding of the county of *York*, to the town of *Leeds*; and from thence in two several branches, one through *Bedford* and *Herton*, and the other through

## A TABLE of the STATUTES.

through *Bowling* and *Wibsey*, to the town of *Halifax* in the same riding, as relates to that part of the said roads which lies between *Selby* and *Leeds*; and also for repairing the road from *Tadcaster* in the said west riding, over *Bramham Moor* thro' *Kidball Lane*, over *Win Moor*, and through *Seacroft*, to a place called *Halton Dyal*, where it comes into the above said road, between *Selby* and *Leeds*.

Cap. 23. For regulating the commencement of the year; and for correcting the calendar now in use.

Cap. 24. To provide for the administration of the government, in case the crown should descend to any of the children of his late royal highness *Frederick* prince of *Wales*, being under the age of eighteen years; and for the care and guardianship, of their persons.

Cap. 25. For laying out, making, and keeping in repair, a road proper for the passage of troops and carriages from the city of *Carlisle*, to the town of *Newcastle upon Tyne*.

Cap. 26. For cleansing and enlightening the open places, streets, and other passages, and regulating the nightly watch and bedels, in the parish of *Saint Matthew*, *Bethnal Green*, in the county of *Middlesex*.

Cap. 27. To enable the present and future proprietors and inhabitants of the houses in *Golden Square*, in the parish of *Saint James*, *Westminster*, in the county of *Middlesex*, to make and levy a rate on themselves, for raising money sufficient for the better inclosing, paving, enlightening, and adorning of the said square; and supporting and keeping of the same in repair for the future.

Cap. 28. For repairing the road from the top of *Crickley Hill* in the county of *Gloucester*, to *Frogg-Mill*, through the towns of *Northleach*, *Buxford*, and *Witney*, and parishes

of *Hanborough* and *Bladen*, to *Campfield*, in the parish of *Kidlington*, in the county of *Oxford*; and also the road from *Witney*, through *Ensham*, *Cumner* and *Botley*, to the city of *Oxford*.

Cap. 29. For repairing the road leading from the town of *Ludlow* in the county of *Salop*, through *Wofferton* and *Little Hereford*, to a place called *Monk's Bridge*, in the said county; and also from the said town of *Ludlow*, to a place or house called the *Maidenhead* at *Orleton* in the county of *Hereford*.

Cap. 30. For repairing the high roads leading from *Darlington* in the county of *Darham*, to *West Auckland*, and several other roads in the said county therein mentioned.

Cap. 31. For explaining, amending, and enforcing, an act passed in the thirteenth year of his late Majesty's reign, intituled, *An act for the better regulation of the linen and hempen manufactures in that part of Great Britain called Scotland*; and for further regulating and encouraging the said manufactures.

Cap. 32. For enlarging the term and powers granted by two acts of parliament for repairing the road from *Wendover*, to the town of *Buckingham* in the county of *Bucks*; and also for repairing and widening the road leading from the west end of the said town of *Wendover*, to the end of a lane called *Oak Lane*, next the great road called *The Oxford Road*, lying between the town of *Beaconsfield*, in the said county of *Bucks*, and *Uxbridge* in the county of *Middlesex*, and that part of the said great road which leads from the west end of the said town of *Beaconsfield*, to the river *Colne* near *Uxbridge* aforesaid.

Cap. 33. For enlarging the term and powers granted by an act passed in the fourth year of his present Majesty's reign, for repairing the roads leading

## A TABLE of the STATUTES.

leading from the most southern part of *Butt Lane*, in the parish of *Lawton*, in the county palatine of *Chester*, to *Lawton*; and from thence to *Henshall's Smithy*, upon *Cranage Green* in the said county; and for making the said act more effectual.

Cap. 34. For the better preservation of the game in that part of *Great Britain* called *Scotland*.

Cap. 35. For repairing the high roads in the county of *Edinburgh*, to and from the city of *Edinburgh*; and from *Crammond Bridge* to the town of *Queen's Ferry* in the county of *Linlithgow*.

Cap. 36. For building a bridge over the river *Ribble*, between the townships of *Preston* and *Penwortham*, near a place called the *Fish-house*, in the county palatine of *Lancaster*.

Cap. 37. For dividing the parish of *Saint Philip and Jacob* in the county of *Gloucester*, and in the city and county of *Bristol*; and for erecting a church in the new intended parish.

Cap. 38. For levying a duty of two pennies *Scots*, or a sixth part of a penny sterling, on every *Scots* pint of ale and beer which shall be brewed for sale, brought into, tapped or sold, within the town of *Greenock*, and *Barricks* of *Easter* and *Wester Greenock*, and *Finquart*, and liberties thereof, in the county of *Renfrew*, for repairing the harbour of the said town, and for other purposes therein mentioned.

Cap. 39. For the better regulating the navigation of the river *Avon*, running through the counties of *Warwick*, *Gloucester* and *Gloucester*; and for adjusting the rates of water-carriage upon the said river.

Cap. 40. For granting to his Majesty a duty upon spirituous liquors, and upon licences for retailing the same; and for repealing the act of the twentieth year of his said Majesty's reign, intituled,

*An act for granting a duty to his Majesty to be paid by distillers upon licences to be taken out by them for retailing spirituous liquors; and for the more effectually restraining the retailing of distilled spirituous liquors; and for allowing a drawback upon the exportation of British made spirits; and that the parish of Saint Mary's le Bon, in the county of Middlesex, shall be under the inspection of the head office of excise.*

Cap. 41. For the more effectual securing the duties upon tobacco.

Cap. 42. To explain and amend an act passed in the last session of parliament, intituled, *An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the duchy of Lancaster, which adjoineth thereto*; and for making the said act more effectual.

Cap. 43. For the more effectual preservation of the turnpike roads in that part of *Great Britain* called *England*; and for the disposition of penalties given by acts of parliament relating to the highways in that part of *Great Britain* called *England*, and for enforcing the recovery thereof; and for the more effectual preventing the mischiefs occasioned by the drivers riding upon carts, drays, cars and waggons, in the city of *London*, and within ten miles thereof.

Cap. 44. For the rendering justices of the peace more safe in the execution of their office; and for indemnifying constables, and others, acting in obedience to their warrants.

Cap. 45. For the more effectual preventing of robberies and thefts upon any navigable rivers, ports of entry or discharge, wharfs and keys adjacent.

Cap. 46. For repealing the duties now payable upon foreign linen



## A TABLE of the STATUTES.

linen yarns, and for granting other duties in lieu thereof.

Cap. 47. For granting to his Majesty the sum of six hundred thousand pounds out of the sinking fund, for the service of the year one thousand seven hundred and fifty one; and for allowances to the poor widows of commission and warrant officers of the royal navy; and for the further appropriating the supplies granted this session of parliament; and for making forth duplicates of exchequer bills, lottery tickets, certificates, orders of loan, or annuity orders, payable at the exchequer in lieu of such as shall be lost, burnt or destroyed; and also for making forth new orders of loan or annuity orders, in lieu of such as shall become defaced, obliterated, or otherwise incumbered with assignments or endorsements thereon.

Cap. 48. For the abbreviation of *Michaelmas* term.

Cap. 49. For allowing further time to the commissioners appointed by and in pursuance of an act of the twenty third year of his present Majesty's reign, intituled, *An act for extending and improving the trade to Africa*, to inquire into the claims of certain creditors of the royal *African* company therein mentioned, and for the relief of *David Crichton*; and for restraining the said company from disposing of such of their effects as are therein mentioned; and for staying all suits for money due from or on the account of the said company, for the time therein mentioned.

Cap. 50. To enable his Majesty to make leases and copies of offices, lands and hereditaments, parcel of his duchy of *Cornwall*, or annexed to the same.

Cap. 51. For encouraging the making of pot ashes and pearl ashes in the *British* plantations in *America*.

Cap. 52. For continuing several laws

therein mentioned, relating to the *premiums* upon the importation of masts, yards and bowsprits, tar, pitch and turpentine; to *British* made sail cloth, and the duties payable on foreign sail cloth; and to the allowance upon the exportation of *British* made gunpowder.

Cap. 53. To regulate and restrain paper bills of credit in his Majesty's colonies or plantations of *Rhode Island* and *Providence* plantations, *Connecticut*, the *Massachusetts Bay*, and *New Hampshire* in *America*; and to prevent the same being legal tenders in payments of money.

Cap. 54. For explaining, continuing, and enforcing several laws therein mentioned, more effectually to prevent the spreading of the distemper which now rages amongst the horned cattle in this kingdom.

Cap. 55. For amending and making more effectual a clause in an act passed in the last session of parliament, for the apprehending of persons in any county or place, upon warrants granted by justices of the peace of any other county or place.

Cap. 56. For ascertaining the admeasurement of wheat meal, or other corn or grain ground, for which a bounty is payable upon exportation; and for making allowances to the *East India* company, for their charges and expences in managing, paying, and transferring their reduced annuities.

Cap. 57. To continue several laws therein mentioned; for preventing theft and rapine on the northern borders of *England*; for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and doing injuries and violences to the persons and properties of his Majesty's subjects, and for the more speedy bringing the offenders to justice; for continuing two clauses to prevent the cutting or breaking down the bank or

## A TABLE of the STATUTES.

of any river or sea bank; and to prevent the malicious cutting of hop-binds; for the more effectual punishment of persons maliciously setting on fire any mine, pit, or delph of coal, or cannel coal; and of persons unlawfully hunting or taking any red or fallow deer in forests or chaces, or beating or wounding the keepers or other officers in forests, chaces or parks; for granting a liberty to carry sugars of the growth, produce, or manufacture of any of his Majesty's sugar colonies in *America*, from the said colonies, directly into foreign parts, in ships built in *Great Britain*, and navigated according to law; for preventing the committing of frauds by bankrupts; for giving further encouragement for the importation of naval stores from the *British* colonies in *America*; and for preventing frauds and abuses in the admeasurement of coals in the city and liberty of *Westminster*; and to make some further provisions in relation to the signing of certificates for the discharge of bankrupts.

Cap. 58. For making, widening, and keeping in repair, several roads in the several parishes of *Lambeth*, *Newington*, *Saint George's Southwark* and *Barnes* in the county of *Surrey*; and *Sturminster* in the county of *Kent*.

Cap. 59. For enlarging of the terms and powers, and making more effectual several acts of parliament for repairing and amending the highway leading from *Roydon* in the county of *Hertford*, to *Wansford* in the county of *Huntingdon*; and for the amendment of the road as lies between the place called the *White Horse* in the county of *Bedford*, and *Wansford* Bridge in the same county, called the *North Road*; and that the tolls taken

at *Saltree* and *Wansford* toll-gates may, from and after a certain time, be lowered; and for repairing the road leading from *Stilton* in the said county of *Huntingdon*, to *Peterborough* in the county of *Northampton*.

### *Private Acts.*

*Anno 24 Georgii II.*

1. An act to dissolve the marriage of *Godfrey Topley* esquire, with *Anna Maria Bracc*, his now wife, and to enable him to marry again, and for other purposes therein mentioned.
2. An act to enable *Samuel Smith* esquire to take and use the surname of *Hulworthy* only, and bear the coat armour of *Matthew Holworthy* esquire, deceased, pursuant to the will of *Elizabeth* his widow, also deceased.
3. An act to enable *John Heath* esquire, and his heirs male, to take and use the surname and arms of *Duke*, according to the direction of the last will and testament of *Richard Duke* esquire, deceased.
4. An act for naturalizing *John Liottard*, *Daniel Richard*, *Daniel Ferrand*, *Charles Boucher* and *John Schnely*.
5. An act for naturalizing *Christopher Jacob Krauter*.
6. An act for empowering the trustees, named in the settlement made upon the marriage of *Edward Hulse* esquire, with *Hannah* his wife, to lay out part of the trust-monies therein mentioned, in the purchase of reversionary estates, as well as lands in possession, to be settled to the uses of the said marriage settlement, with power to make leases thereof, according to the custom of the country.
7. An act to enable *George Lane*, heretofore called *George Fox* esquire, and his issue male, to take and use the surname and arms of *Lane*, pursuant to the will of *James* his father, viscount

## A TABLE of the STATUTES.

- viscount *LANESBOROUGH*, in the kingdom of *IRELAND*, deceased, and for inrolling the said will, and making the exemplification thereof evidence in all courts in *Great Britain* and *Ireland*.
8. An act to enable *Thomas Smith*, now called *Thomas Panuwell*, and the heirs of his body, to take and use the surname and arms of *Panuwell*.
9. An act to enable the most noble *Jane* duchess dowager of *Argyll* and *Greenwich* to grant leases of the ground, and repairing leases of the houses and buildings in the county of *Middlesex*, mentioned in the will of *John* late duke of *Argyll* and *Greenwich* deceased.
10. An act for charging divers houses, tenements and hereditaments, in the city of *London* and county of *Hertford*, part of the settled estate of *William* earl *Cowper*, with raising money towards defraying the expences of rebuilding the said houses in *London*, burnt down and destroyed by fire.
11. An act for vesting divers lands, tenements and hereditaments in the county of *Corke* in the kingdom of *Ireland*, comprized in the marriage-settlement of *John* earl of *Egmont*, in him and his heirs, discharged of the uses of that settlement, and for settling other lands and hereditaments in the said county, of greater value, in lieu thereof, to the same uses.
12. An act for the sale of a capital messuage at *Bromley*, and divers messuages, lands and hereditaments in the counties of *Middlesex* and *Essex*, late the estate of *Sir Charles Peers* knight, deceased, some time since one of the aldermen of the city of *London*, and for purchasing another estate to be settled to the uses of his will.
13. An act to enable *John Primrose* esquire, commonly called lord *Dun-*
- manie*, to secure a jointure to *Mary* countess of *Rosberry*, his mother, and make provisions for his brother and sister, out of the entailed estate late of *Sir Archibald Primrose* knight, deceased.
14. An act for vesting the undivided twelfth part of *John Fekyll*, an infant, in the real estate of *Sir Joseph Fekyll* knight, deceased, in trustees, to be sold for the purposes therein mentioned.
15. An act for sale of the estate late of *Edmund Pleydell* esquire, in *Gloucestershire*, and for laying out the money arising by such sale, in the purchase of another estate, to be settled to the uses of his will.
16. An act to enable *Sir William Maxwell*, of *Monreith*, baronet, or other heirs of entail for the time being, to sell lands in the county of *Wigtown*, for payment of debts, and other purposes therein mentioned.
17. An act for the effectual securing of a jointure, by way of rent-charge, for *Barbara Mainwaring Ellerker*, wife of *Eaton Mainwaring Ellerker* esquire, and raising portions for their younger children, pursuant to an agreement contained in their marriage-settlement, and for confirming and establishing the surname of *Ellerker*, and the coat of arms of the *Ellerkers*, of *Risby* in the county of *York*, and the crest granted by King *Henry* the Eighth, to the said *Eaton Mainwaring Ellerker*, and his issue.
18. An act for confirming a partition of the estate late of *George Gardner* esquire, deceased, and for settling and disposing of the lands belonging to *Edward Bullstrode* esquire, upon the said partition, for discharging incumbrances, and for a provision for himself, and his wife and children, pursuant to his marriage-settlement.
19. An act to empower the guardian of

## A TABLE of the STATUTES.

- For guardians of *Thomas Horner* esquire, an infant, for the time being, to make leases and copyhold grants of his estates in the county of *Somerset*, during his minority, according to the usage and custom of the country, and for other purposes therein mentioned.
20. An act for vesting a messuage and lands in *Suffolk*, part of the settled estate of *Thomas Moyle* esquire, in trustees, in trust to sell the same, pursuant to an agreement for that purpose, and for applying the money arising by such sale, towards the purchase of another estate of greater value, to be settled to the like uses.
21. An act for the better effecting the purposes mentioned in the will of *John Michel*, late of *Richmond* in the county of *Surrey* esquire, deceased, for the benefit and advantage of *Queen's College* in the university of *Oxford*.
22. An act to confirm and establish an agreement for inclosing and dividing several lands and grounds in the parish of *Wotton* in the county of *Tork*, and for settling a yearly sum on the vicar in lieu of tithes, and other purposes therein mentioned.
23. An act for confirming articles of agreement for inclosing and dividing certain commons and waste grounds in the parish of *Tatton* in the county of *Somerset*.
24. An act for inclosing and dividing the common fields, common pastures, common meadows and waste grounds in the manor and parish of *Farthingstone* in the county of *Northampton*.
25. An act for confirming articles of agreement for inclosing and dividing the common fields, meadows and common fen in the manor and parish of *Dunby* in the county of *Lincoln*, and for rendering the same more effectual, and for other purposes therein mentioned.
26. An act for impowering *Sir Thomas Saunders Sebright* baronet, to inclose *Besford* common in the county of *Worcester*, and for setting out and appointing proper roads over the same; and for charging the said common with a perpetual yearly rent, in lieu of certain rights and privileges claimed by *James Cocks* esquire, as lord paramount of the manor of *Besford*.
27. An act for confirming articles of agreement for inclosing the common pastures and common grounds within the manor of *Hutton Bushell* in the county of *York*.
28. An act for vesting for a certain term of years, in *Michael Menzies* esquire, his executors, administrators and assigns, the sole property of a machine, by him invented, for conveying of coals from the places where they are dug, to the heaps at the mouths of the pits, and in some cases from the heaps to the staiths, or places where they are put on board ships or keels.
29. An act to enable *William Leybourne*, formerly called *William Leybourne Taylor*, to take and use the surname of *Leybourne* only, and bear the coat of arms of the family of *Leybourne*, pursuant to the will of his uncle *William Leybourne*, deceased.
30. An act for enabling *James Langston*, formerly called *James Haughton*, and his heirs, to use the surname, and bear the family arms of *Langston*, pursuant to the will of *James Langston* his uncle, deceased.
31. An act to enable *John Fenwick*, lately called *John Wilton*, and the heirs male of his body, to take the name and bear the arms of *Fenwick* only, pursuant to the wills of *Robert Fenwick* and *Nicholas Fenwick*.
32. An act for naturalizing count *Stephanus Laurentius Neveu*.
33. An act for establishing and confirming

## A TABLE of the STATUTES.

- firming articles entered into upon marriage of *Henry Arthur* earl of *Powis*, with *Barbara* countess of *Powis*, his wife, an infant, and for the more effectually carrying the same into execution.
34. An act for enabling the right honourable *John Tynne*, lord *Chedworth*, to settle a jointure on *Murtha Parker* spinster, upon their inter-marriage, and for making provision for their younger children, and for explaining the will of *Sir Philip Parker Long* baronet, deceased, and for other purposes therein mentioned.
35. An act for compleating the sale of the estate late of *Francis Scott*, commonly called earl of *Duketh*, deceased, in the county of *Lincoln*; and for applying the money arising thereby pursuant to an agreement for that purpose; and for empowering the guardians of the heir of the said late earl, for the time being, to make leases of ground and buildings in the county of *Middlesex*, during the minority of such heir.
36. An act for sale of part of the settled estate of *Thomas* lord viscount *Kilmorey*, for raising money to discharge the incumbrances affecting the same, prior to his marriage-settlement, and for laying out the surplus thereof in the purchase of other lands and hereditaments, to be settled to the uses of the said settlement.
37. An act for vesting the undivided moiety of divers lands and hereditaments in the counties of *Leicester*, *Stafford* and *Derby*, devised by the will of *Sarah Frowde* widow, deceased, in *Ralph Blois* clerk, in fee-simple; and for settling an entire estate in the county of *Suffolk*, of greater value, to the uses limited by the same will.
38. An act for vesting part of the settled estate of *George Barlow* esquire, in him and his heirs, and for settling another part of his estate, of greater value, to the same uses, except as therein is excepted, in law thereof.
39. An act for sale of the estates late of *William Newland* esquire, deceased, in *Gatton*, *Rygate* and *Meastam* in the county of *Surrey*, for discharging incumbrances.
40. An act for sale of certain estates in the county of *Stafford*, of *Christopher Wood*, esquire, for discharging incumbrances affecting the same, and for settling other lands in lieu thereof.
41. An act for making and granting leases of lands, tenements and mines in the county of *Cornwall*, comprized in the marriage settlement and will of *Kellond Courtney* esquire, deceased, during the minority of his issue claiming under the said settlement and will.
42. An act for selling part of the settled estate of *George Courtenay* esquire, for discharging incumbrances affecting the same, and for enabling him to make a provision for his wife and children, pursuant to his marriage articles.
43. An act to enable the honourable *John Fitz Maurice*, and his issue, to take and use the surname of *Petty*, pursuant to the will of the right honourable *Henry* earl of *Shelburne* in the kingdom of *Ireland*, deceased.
44. An act for enabling *Richard King Stubbfield* gentleman, and his issue, to take and use the surname of *King*.
45. An act for naturalizing *Philip Jacob* baron *de Soesdyk Van Cloon*, lord of *Rhynwick*.
46. An act for naturalizing *John Tugla*, *Stephan Cogigian*, *John Jacob Zornlin*, and *John Adolph Speck*.

Anno 25 Georgii II.

Cap. 1. For continuing and granting to his Majesty certain duties upon malt

## A TABLE of the STATUTES.

malt, mum, cyder and perry for the service of the year one thousand seven hundred and fifty two.

Cap. 2. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

Cap. 3. For granting an aid to his Majesty by a land-tax to be raised in *Great Britain* within the space of one year, from the twenty fifth day of *March* one thousand seven and fifty two.

Cap. 4. For appointing the deputy or secondary of the chief clerk to in-roll pleas in the *King's Bench*, called *The Master of the King's Bench office*, one of the registers or masters for the inrollment of deeds, wills, and other conveyances in the county of *Middlesex*, in the place and stead of such chief clerk.

Cap. 5. To continue and make more effectual an act passed in the second year of the reign of his present Majesty, for repairing the highways between *Sheppard's Shord* and *Horsley Upright Gate* leading down *Bagdown Hill* in the county of *Wilts*, and other ruinous parts of the highways thereunto adjacent.

Cap. 6. For avoiding and putting an end to certain doubts and questions, relating to the attestation of wills and codicils, concerning real estates, in that part of *Great Britain* called *England*, and in his Majesty's colonies and plantations in *America*.

Cap. 7. To rectify a mistake in an act passed in the twenty fourth year of the reign of his present Majesty, intituled, *An act for explaining and amending an act passed in the twenty first year of his present Majesty, intituled, An act for the relief of the annuitants of the wardens and commonalty of the mystery of Mercers in the city of London*; and for other purposes therein mentioned.

Cap. 8. For repairing the road leading from the *Royal Oak* on *Wroth-*

*am Heath*, to the town of *Wrotham* in the county of *Kent*; and from thence to the village of *Foot's Cray* in the said county.

Cap. 9. For enlarging the term granted by two several acts of the third and ninth years of his late Majesty's reign, for continuing the duty of two pennies *Scots* upon every pint of ale and beer sold in the city of *Edinburgh*, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there.

Cap. 10. For the more effectual securing mines of black lead from theft and robbery.

Cap. 11. To enable the parishioners of the parish of *East Greenwich* in the county of *Kent*, to deposit corple in the vaults or arches under the church in the said parish, and to ascertain the fees that shall be paid for the same.

Cap. 12. For repairing and widening the road from the town of *Warminster* in the county of *Wilts*, to the city of *Bath* in the county of *Somerset*; and also the road from the town of *Frome* in the said county of *Somerset*, to the town of *Beckington* in the same county; and for repairing the road from *Heytisbury* to *Anstrow Hill* in the county of *Wilts*.

Cap. 13. For repairing the road from the town of *Cirencester* to the town of *Stroud*, and that part of *Rodborough Hill* which leads to *Dudbridge*; and also the road leading from *Cirencester* towards *Bisley*, so far as the bottom of *Gulph Hill*; all in the county of *Gloucester*.

Cap. 14. To open the port of *Lancaster* for the importation of wool and woollen yarn from *Ireland*.

Cap. 15. To indemnify persons who have omitted to qualify themselves for offices and employments; and also persons who have omitted to make and file affidavits of the execution

## A TABLE of the STATUTES.

- cution of articles of clerkship, within the time limited by law; and for allowing further time for those purposes.
- Cap. 16. For enlarging the term and powers granted by two acts of parliament, for repairing and amending the highways between the town or village of *Tittenfor*, and the most northern part of *Talk on the Hill* in *Butt Lane* in the county of *Stafford*.
- Cap. 17. For repairing the road leading from the *Green Man* in the chapelry of *Scend* in the county of *Wilts*, through *Trowbridge* to a place called *White Trough* in the parish of *Trowbridge* in the same county; and from thence by *Road Church* to *Beckington* in the county of *Somerset*.
- Cap. 18. For repairing the road leading from *Long Horsley* bar or gate, on the post road near the town of *Morpeth*, by or through *Long Horsley*, *Weldon Bridge* and *Whittingham*, to the river *Breamish*, and from thence to *Piercy's Cross* in the county of *Northumberland*.
- Cap. 19. To open the port of *Great Yarmouth* for the importation of wool and woollen yarn from *Ireland*.
- Cap. 20. To obviate doubts that have arisen with regard to the admission of the vassals of the principality of *Scotland*, and payment of their rents and duties.
- Cap. 21. For repairing the roads from *Wallingford* in the county of *Berks*, to *Wantage*, and from thence to *Farringdon*, and also from *Wantage* to *Idson* in the said county.
- Cap. 22. For repairing the roads from the town of *Shrewsbury*, through *Ellesmere* in the county of *Salop*, and *Overton* in the county of *Flint*, to *Wrexham* in the county of *Denbigh*.
- Cap. 23. For the better relief and employment of the poor in the parishes of *Saint Margaret* and *Saint John the Evangelist* in the city of *Westminster*; and for cleansing the streets, and repairing the highways within the said parishes.
- Cap. 24. For repairing and widening the roads from *Tinhead Hill*, to the *Round Stone* in *Trowbridge*; and from *Flinty Nap*, to *Western Down* in the parish of *Edington* in the county of *Wilts*; and other roads in the counties of *Wilts* and *Somerset*, leading towards the cities of *Bristol* and *Bath*.
- Cap. 25. For granting to his Majesty a certain sum of money therein mentioned, out of the sinking fund; and for enabling his Majesty to raise a further sum of money therein also mentioned, by exchequer bills, to be charged on the said sinking fund, for the service of the year one thousand seven hundred and fifty two; and for the further appropriating the supplies granted in this session of parliament.
- Cap. 26. To restrain the making insurances on foreign ships bound to or from the *East Indies*.
- Cap. 27. For converting the several annuities therein mentioned, into several joint stocks of annuities transferrable at the bank of *England*, to be charged on the sinking fund; and also for consolidating the several other annuities therein mentioned, into several joint stocks of annuities, transferrable at the *South Sea House*.
- Cap. 28. For repairing the post road from the city of *Edinburgh* thence to the counties of *Linlithgow* and *Sterling*, from the *Boathouse Ford*, on *Almond Water*, and from thence to the town of *Linlithgow*, and from the said town to *Falkirk*, and from thence to *Sterling*; and also from *Falkirk* to *Kilsyth*, and to *Inch Bellie Bridge*, on the post road to the city of *Glasgow*.
- Cap. 29. For giving a proper reward to coroners, for the due execution of their office; and for the removal of coroners upon a lawful

## A TABLE of the STATUTES.

- conviction for certain misdemeanors.
- Cap. 30. To amend an act made in the last session of parliament, intituled, *An act for regulating the commencement of the year, and for correcting the calendar now in use.*
- Cap. 31. To continue, explain and amend several laws more effectually to prevent the spreading of the distemper which now rages amongst the horned cattle in this kingdom.
- Cap. 32. To allow the importation of gum senega into this kingdom, from any part of *Europe*, upon the payment of a duty; and for relief of *James Guthrie*, with respect to the duties paid and secured upon a quantity of tobacco, burnt at the port of *Kircudbright*; and for giving further time for payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices.
- Cap. 33. For repairing the road leading from the town of *Morpeth*, by or through *Mitford*, *Thropple*, *Long Witton*, and by the north side of *Rotbley Park* wall, to *Sting Cross*, and to the *High Cross* in *Elfdon* in the county of *Northumberland*.
- Cap. 34. For the more easy and speedy recovery of small debts within the town of *Birmingham*, and hamlet of *Peritend* thereto adjoining in the county of *Warwick*.
- Cap. 35. For continuing the act for encouraging the growth of coffee in his Majesty's plantations in *America*; and also for continuing, under certain regulations, so much of an act as relates to the *Premiums* upon the importation of masts, yards and bowsprits, tar, pitch and turpentine.
- Cap. 36. For the better preventing thefts and robberies, and for regulating places of publick entertainment, and punishing persons keeping disorderly houses.
- Cap. 37. For better preventing the horrid crime of murder.
- Cap. 38. For the more easy and speedy recovery of small debts within the borough of *Saint Albans* in the county of *Hertford*; and the several towns, parishes, wards, hamlets and places within the liberty of *Saint Albans*.
- Cap. 39. To obviate doubts that may arise upon an act made and passed in the eleventh and twelfth years of the reign of his late majesty King *William* the Third, intituled, *An act to enable his Majesty's natural born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding their father or mother were aliens.*
- Cap. 40. For the application of a sum of money therein mentioned, granted to his Majesty, for making compensation and satisfaction to the royal *African* company of *England*, for their charter, lands, forts, castles, slaves, military stores, and all other their effects whatsoever; and to vest the lands, forts, castles, slaves, and military stores, and all other their effects, in the company of merchants trading to *Africa*; and for other purposes in the act mentioned.
- Cap. 41. For annexing certain forfeited estates in *Scotland* to the crown unalienably; and for making satisfaction to the lawful creditors thereupon; and to establish a method of managing the same; and applying the rents and profits thereof, for the better civilizing and improving the highlands of *Scotland*; and preventing disorders there for the future.
- Cap. 42. To render valid and effectual all contracts and agreements which shall be made by the commissioners or governors of the royal hospital for seamen at *Greenwich*, for the purchase of lands, tenements and hereditaments, for the



## A TABLE of the STATUTES.

- finishing and completing the said hospital; and for ascertaining the recompence that shall be made for the same.
- Cap. 43. For the more easy and speedy recovery of small debts in the town and port of *Liverpoole*, and liberties thereof, in the county palatine of *Lancaster*.
- Cap. 44. To explain and amend an act passed in the fifth year of his present Majesty's reign, intituled, *An act to enlarge the pier and harbour of Scarborough in the county of York*; and for making the said act more effectual.
- Cap. 45. For the more easy and speedy recovery of small debts within the city and county of the city of *Canterbury*, and the liberties and precincts of the same.
- Cap. 46. For repairing and widening the road from *Alenmouth* through the town of *Ainwick*, to *Rothbury*, and from thence to the town of *Haxham*, and also the road leading out of the aforesaid road, between *Ainwick* and *Rothbury*, to *Jockey's Dike Bridge* in the county of *Northumberland*.
- Cap. 47. For repairing and widening the roads from the east end of *Monk Bridge*, near the suburbs of the city of *York*, to *New Allston*, and from thence to *Scarborough* in the north riding of the county of *York*, and also from *Spittle-house* in the east riding of the said county, to *Scarborough* aforesaid.
- Cap. 48. For repairing and widening the road leading from a part of the road (directed to be repaired by an act passed in the last session of parliament, from *Carlisle* to *Newcastle upon Tyne*) near *Glenauclt*, to another part of the road (so making from *Carlisle* to *Newcastle*) upon *Sbilden Common* in the county of *Northumberland*.
- Cap. 49. For repairing the high road from the town of *Shrewsbury*, thro' *Cressage*, *Harley*, *Much Wenlock*, by *Muckley Cross*, and through *Morville*, to *Bridgnorth* in the county of *Salop*.
- Cap. 50. For repairing the roads from the north end of *Malling Street*, near the town of *Lewes*, to *Witch Cross*, and from the north end of *Malling Street* aforesaid, to the *Broil Park* gate; and from *Offham*, to *Witch Cross* aforesaid, all lying within the county of *Suffex*.
- Cap. 51. For amending and making more effectual several acts for amending the roads from the city of *London*, to *East Grinstead* in the county of *Suffex*; and to the towns of *Sutton* and *Kingston* in the county of *Surrey*; and for more effectually repairing the road from *Newington*, through *Camberwell* in the said county to *New Cross* in the county of *Kent*; and for repairing and widening the road from *Camberwell Green*, to the *Fox under the Hill* in the parish of *Camberwell*.
- Cap. 52. For widening and repairing the road from *Cambcridge* in the county of *Somerset*, to *Bradford* in the county of *Wils*; and from thence through *Hilberton*; and so far over *Ashton Common*, as to join the road which leads from *St. pie Ashton* to *Trowbridge*; and also the road leading from *Bradford* aforesaid, to *Cockhill Gate* in the said county of *Wils*.
- Cap. 53. For repairing the road from *Knaresborough* in the county of *York*, by *Longflat Lane*, *Gouldsborough Fields*, *Flaxby*, *Allerton*, *Mauleverer* and *Scate Moor*, to *Green Hammerton* in the same county; and for making the same a high carriage road.
- Cap. 54. For amending the several roads leading from the town of *Taunton* in the county of *Somerset*.
- Cap. 55. For explaining and amending so much of an act passed in the fourteenth year of the reign of his present Majesty, for the repairing and enlarging the roads from the town of *Selby* in the west riding

## A TABLE of the STATUTES.

the county of *York*, to the town of *Leeds*; and from thence in two several branches, one through *Bradford* and *Horton*, and the other through *Bowling* and *Wibsey*, to the town of *Halifax* in the same riding; as relates to that part of the said roads which lies between *Leeds* and *Halifax*.

Cap. 56. For repairing the several roads leading from the town of *Bromyard* in the county of *Hereford*, to the several places called the *Halfway Ash* in the parish of *Docklow*, *Herefordshire Lake* in the parish of *Whitburne*, *Perry Bridge* in the parish of *Stoke Bliss*, leading through the several parishes of *Edwin*, *Ralph*, *Collington*, and the hamlet of *Little Kyre*, *Sapey Wood* in the parish of *Upper Sapey*, *Bishop's Froome*, *Woosferwood Gate*, and *Herefordshire Lake* in the said parish of *Bromyard* in the counties of *Hereford* and *Worcester*.

Cap. 57. For repairing and widening the road leading from *Market Harborough* in the county of *Leicester*, through *Desborough*, *Rowell*, *Kettering*, *Barton Seagrave* and *Thrapston* in the county of *Northampton*; and through *Bythorne*, *Spaldwick*, *Ellington*, to the *Pound* in the parish of *Brampton* in the county of *Huntingdon*.

Cap. 58. For repairing the roads from the town of *Leeds*, through *Harwood*, to the south west corner of the inclosures of *Harrowgate*; and from thence in two branches (one through *Ripley*, over *Burage Green*, and the other through *Knaresborough* and *Boroughbridge*) to *Ripon*; and from thence to the first mill of water or watercourse on *Hatten Moor* in the county of *York*; and for repairing the sloughs or rutts on the said moor.

Cap. 59. For repairing and widening the roads leading from *Chippenham* *Bridge* in the county of *Wilts*, to

the top of *Togg Hill* in the county of *Gloucester*; and from *Chippenham Bridge* aforesaid, to the top of *Old Sodbury Hill* in the said county of *Gloucester*.

Cap. 60. For repairing and amending the several roads leading from the west end of *Upton Bridge* in the county of *Worcester*, to the parish of *Tire* in the county of *Gloucester*, and to the parish of *Celwall* in the county of *Hereford*; and to the further side of a place called *The Rid Green* in the road to the city of *Worcester*, and through a place called *Roberts End Street* to *Malvern Chase* in the said county of *Worcester*.

### Private Acts.

Anno 25 Georgii II.

1. An act for enabling *George Oxenden* esquire, and his heirs, to use the furnaine, arms and crest of *Dixwell*, pursuant to the will of *Sir Basil Dixwell* baronet, deceased.
2. An act for enabling *William* duke of *Devonshire*, to make provision for his younger sons, out of his estate in the county of *Huntingdon*.
3. An act for supplying certain defects and omissions in a settlement of the family estates of *Peigrine* duke of *Ancafter* and *Kesteven*, by enabling him to raise portions thereout for his daughters, in the manner therein mentioned.
4. An act for empowering the trustees of the will of *William* late marquis of *Peters*, to make sales, exchanges, and leases of divers parts of his estate, for the purposes therein mentioned, and for making the exemption of the same will, and attested copies of the inrollment thereof, evidence in all courts in *Great Britain*.
5. An act to enable the right honourable *William* lord *Plantagenet*, and the heirs of entail for the time being, to alienate,

## A TABLE of the STATUTES.

- alienate, by way of exchange or excambion, certain lands in the constabulary of *Hadington*, and shire of *Edinburgh*.
6. An act for confirming a lease or grant, made by the devisees of the real estate late of the right honourable *Bussy*, late lord *Mansel*, in the county of *Glamorgan*, to *Rewland Pytt* iron-master, for certain purposes therein expressed.
7. An act for sale of certain estates in the counties of *Norfolk* and *Suffolk*, comprized in the marriage settlements of Sir *William Hurbold* baronet, and knight of the most honourable order of the *Bath*, and for purchasing other estates to be settled to the like uses in lieu thereof.
8. An act for providing and securing portions and maintenance for the younger sons and daughter of Sir *Thomas Heathcote* baronet.
9. An act for vesting divers manors and lands in the counties of *Lancaster* and *Chester*, devised by the will of the late Sir *John Bland* baronet, deceased, in the present Sir *John Bland*, in fee-simple, discharged of the trust of the said will, and for settling an estate in the county of *York*, in lieu thereof, and in exchange for the same.
10. An act for sale of part of the intailed estate of Sir *George Mackenzie* knight, deceased, lying in that part of *Great Britain* called *Scotland*, and for purchasing other estates to be settled to the same uses, and for other purposes therein mentioned.
11. An act for vesting divers lands and hereditaments in the county of *Oxford*, devised by the will and codicil of *Nathaniel Bacon* esquire, deceased, in *Edward Bacon* esquire, in fee-simple, and for settling an estate in the county of *Norfolk*, of greater value, to the uses limited by the same will and codicil.
12. An act to empower the guardians of *William Wyndham* esquire, an infant, to make leases and copyhold grants of his estates, in the manor of *Uphaven*, and in *Lustan* and *Odcombe* in the counties of *Wilts* and *Somerset*, during his minority.
13. An act for sale of the moiety of the manor of *Icombe*, part of the settled estate of *Richard Hopton* esquire, and others, and laying out the money arising thereby in the purchase of an entire estate, to be settled to the same uses.
14. An act to empower the committee or committees of *Thomas Southcote* esquire, a lunatick, for the time being, to make leases and copyhold grants of his estates, in the counties of *Berks*, *Essex* and *Surry*, and for other purposes therein mentioned.
15. An act for vesting the real estate of *William Barnesley* esquire, deceased, in trustees, for the benefit of *William Barnesley* esquire, his only son and heir, who is a lunatick; and for raising money to pay the costs of several suits and proceedings at law, and in equity, brought for recovery of the said estate.
16. An act for vesting the manor of *Stepney*, and divers lands and hereditaments in the parish of *Stepney*, in the county of *Middlesex*, comprized in the marriage settlement of *John Wicker* esquire, in him and his heirs, and for settling lands in the counties of *Suffex*, *Surrey* and *Kent*, in lieu thereof, to the uses of that settlement.
17. An act to empower *John Preston* merchant, to make a jointure on any future marriage.
18. An act to enable the commissioners for executing the office of treasurer of his Majesty's exchequer, or the lord high treasurer for the time being, to compound with *George Whitehead* of *Bristol*, merchant, and his sureties, *John Whitehead* and *Thomas Whitehead*, a debt due to the crown for customs for tobacco.
19. An

## A TABLE of the STATUTES.

- An act to dissolve the marriage of *Daniel Lascelles* of *London*, merchant, with *Elizabeth Southwicke*, now wife, and to enable him to marry again, and for other purposes therein mentioned.
20. An act to dissolve the marriage of *Thomas Benson* gentleman, with *Jane Board* his now wife, and to enable him to marry again, and for other purposes therein-mentioned.
21. An act to enable his Majesty to grant the inheritance of the manor of *Crowland*, in the county of *Lincoln*, to trustees, in trust for *Thomas Orby Hunter* esquire, and his heirs, upon a full and valuable consideration to be paid for the same.
22. An act to extinguish the right of the lord of the manor of *Ombersley*, in the county of *Worcester*, of keeping a warren for conies on *Linall Common*, the *Birchin Valley*, and the *Lyth*, and for securing to the said lord the rent now paid for the same; and for annexing and uniting the said *Birchin Valley* to several ancient copyholds, or customary tenements, within the said manor.
23. An act for dividing and inclosing the common fields and common meadows of *Narborough*, otherwise *Northborough*, in the county of *Leicester*.
24. An act for confirming articles of agreement, and an award, for inclosing and dividing certain wastes and commons in the manor of *Ridley*, in the county of *Northumberland*.
25. An act for dividing and inclosing the common fields, common pastures, common meadows, common grounds, and waste grounds, in the hamlet of *Drayton*, within the parish of *Daventry*, in the county of *Northampton*.
26. An act for establishing and rendering effectual certain articles of agreement, for the inclosing and dividing the commons and waste grounds in the townships of *Snaith*, *Cowick* and *Rawcliffe*, in the county of *York*.
27. An act for inclosing and dividing *Wytham on the Hill Infield*, in the county of *Lincoln*, and for settling a stipend on the vicar in lieu of glebe and tythes.
28. An act to empower *Richard Chandler* esquire, and *Elizabeth* his wife, and their issue, to take and use the surname of *Cavendish*.
29. An act to enable *John Cave*, now called *John Browne*, and his issue, to take and use the surname of *Browne*.
30. An act to enable *Michael Archer* esquire, and his issue male, to take and use the surname of *Newton* only, and to take and use the coat of arms of the family of *Newton*.
31. An act for naturalizing *Jane Magdalen Robelon*.
32. An act for naturalizing *Francis Degen*.
33. An act for naturalizing *John Matthias Miller*.
34. An act for naturalizing *Frederick William Commerell*, *John Anthony Toopken*, and *Christian Gottfried Moser*.
35. An act for naturalizing *Christian Samuel Geledneki*.
36. An act for naturalizing *Philip Denoyer*.
37. An act for naturalizing *James Fremeaux* merchant.
38. An act for naturalizing *Andrew Girardot*.
39. An act for naturalizing *Peter Auriol* and *David Pratviel* of *Londoz*, merchants.
40. An act for naturalizing *Andrew Annibal Leques*, and *Frederick Charles Augustus Blomberg*.
41. An act for naturalizing *Johan Meybohm*.

*The END of the TABLE.*







# THE STATUTES at Large, &c.



*Anno vicefimo tertio* GEORGII II. Regis.

**A**T the parliament begun and bolden at Westminster, the tenth day of November, Anno Dom. 1747, in the twenty first year of the reign of our sovereign Lord George the Second, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations to the sixteenth day of November, 1749, being the third session of this present parliament.

## CAP. I.

*An act for reducing the several annuities, which now carry an interest after the rate of four pounds per centum per annum, to the several rates of interest therein mentioned.*

*Most gracious Sovereign,*

**W**HEREAS there is now due and owing from the publick, to the propriators of certain annuities payable at the receipt of his Majesty's exchequer, the sum of three hundred and twelve thousand pounds; and to the corporation of the governor and company of the bank of England, in their own right, the sum of eight millions four hundred eighty six thousand eight hundred pounds; and to the propriators of certain annuities transferrable there, the sum of eighteen millions four hundred two thousand four hundred seventy two pounds, and ten pence; and to the corporation of the united company of merchants of England trading to the East Indies, the sum of three millions two hundred thousand pounds; and also to the governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fishery, commonly called the South Sea Company, in their own right, and for the use and benefit of the propriators of the annuities, commonly called the Old South Sea Annuities, and New South Sea Annuities, the sum of twenty seven millions three hundred two thousand two hundred three pounds, five shillings, and six pence halfpenny: all which said several and respective principal sums do amount in the whole to the sum of fifty seven millions seven hundred three thousand four hundred seven pounds six shillings, and four pence halfpenny, and are attended



with annuities, or an interest after the rate of four pounds per centum per annum, redeemable by parliament: and whereas your majesty hath been pleased, by your most gracious speech to both houses assembled in parliament, to recommend to your dutiful and faithful commons of Great Britain, to be watchful to improve any opportunity of putting the national debt in a method of being reduced, with a strict regard to publick faith and private property; and your said dutiful and loyal commons being truly sensible, that nothing can so effectually contribute to make the trade of this kingdom flourish, and render your Majesty's reign glorious to posterity, as the lessening the publick debts and incumbrances, consistent with justice and publick faith, have resolved, that any person or persons, bodies politick or corporate, who now are, or hereafter may be, interested in, or intitled unto, any part of the national debt redeemable by law, incurred before Michaelmas one thousand seven hundred and forty nine, which now carries an interest after the rate of four pounds per centum per annum, and who shall, on or before the twenty eighth day of February, one thousand seven hundred and forty nine, subscribe their names, or signify their consent to accept of an interest of three pounds per centum per annum, to commence from the twenty fifth day of December, one thousand seven hundred and fifty seven, subject to the same provisos, notices, and clauses of redemption, which their respective four per cents are now liable to, shall in lieu of their present interest be intitled unto, and receive an interest of four pounds per centum per annum till the twenty fifth day of December, one thousand seven hundred and fifty; and from and after the said twenty fifth day of December, one thousand seven hundred and fifty, an interest of three pounds ten shillings per centum per annum, until the said twenty fifth day of December, one thousand seven hundred and fifty seven; and no part of the same, except what is due to the East India company, shall be liable to be redeemed till after the said twenty fifth day of December, one thousand seven hundred and fifty seven; and that all executors, administrators, guardians, and trustees, may subscribe and signify such consent for the several parts of the said debt, for the holding of which their names are made use of respectively; and that all duties, revenues, and incomes which now stand appropriated to the payment of the said interest of four pounds per centum per annum respectively, shall continue, and be appropriated and applied to the payment of the respective interest of four pounds per centum per annum, three pounds ten shillings per centum per annum, and three pounds per centum per annum, in the same manner as the same now stand appropriated to the payment of the said four pounds per centum per annum; and that the surplusses of the said funds, after the said twenty fifth day of December, one thousand seven hundred and fifty, shall be made part of the Sinking fund, and applied in the same manner as the surplusses of the said funds are now applicable; and also that books be opened at the receipt of his Majesty's exchequer, at the bank of England, and South Sea house, for receiving the said subscriptions or consent: they therefore do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of

the Lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That any person or persons, bodies politick or corporate, who now or hereafter may be interested in, or intitled unto, any part of the said national debt redeemable by law, incurred before *Michaelmas*, one thousand seven hundred and forty nine, amounting in the whole to the sum of fifty seven millions seven hundred three thousand four hundred seventy five pounds, six shillings and four pence halfpenny, which now carries an interest after the rate of four pounds *per centum per annum*, and who have or shall, on or before the said twenty eighth day of *February*, one thousand seven hundred and forty nine, subscribe their names or signify their consent, to accept of an interest of three pounds *per centum per annum*, to commence from the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, subject to the same provisos, notices, and clauses of redemption, which their respective four *per cents* are now liable to, shall, in lieu of their present interest be intitled unto, and receive an interest of four pounds *per centum per annum*, until the said twenty fifth day of *December*, one thousand seven hundred and fifty; and from and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, an interest of three pounds ten shillings *per centum per annum* until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven; and no part of the same, except what is due to the *East India* company, shall be liable to be redeemed till after the said twenty fifth day of *December*, one thousand seven hundred and fifty seven.

II. And be it further enacted by the authority aforesaid, That the several annuities of four pounds *per centum per annum*, now payable in respect of the said principal sum of fifty seven millions seven hundred three thousand four hundred seventy five pounds, six shillings, and four pence halfpenny, to the proprietors thereof, and by this act continued to them until the said twenty fifth day of *December*, one thousand seven hundred and fifty, as also the several and respective reduced annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, by this act made payable in lieu thereof, from the respective days therein mentioned, shall during the respective continuances thereof, be paid and payable to the respective persons and corporations intitled thereunto, their executors, administrators, and assigns, at the same respective offices and places, and out of the same duties, revenues, and incomes, and at such time or times, and shall be assignable, transferrable, and disposeable, in the same manner and form, as the said annuities of four pounds *per centum per annum*, are now payable, assignable, transferrable, and disposeable, by the respective acts or statutes now in force, for or concerning the same, and as if this present act had never been made, subject nevertheless to redemption by parliament, from the said twenty fifth day of *December*, one thousand seven hundred and fifty

Persons interested in the national debt, amounting to 57,703,475 l. 6s. 4d 2q. which now carries an interest of 4 l. per cent. who shall consent to accept of 3 l. per cent. from 25 Dec. 1757, shall receive 4 l. per cent. until 25 Dec 1759, and 3 l. 10 s. per cent. until 25 Dec. 1757. 23 Geo. 2. c. 22.

The said annuities made payable and transferrable in the same manner as the present annuities,

subject to redemption after 25 Dec. 1757.

ſeven, in manner herein after-mentioned; any thing herein contained to the contrary thereof, in any wiſe notwithstanding.

III. *And whereas books have been already opened in purſuance of a reſolution of the commons of Great Britain, in this ſeſſion of parliament, in the office of the auditor of the receipt of his Maſteſty's exchequer at Weſtminſter, and alſo at the reſpective offices of the governor and company of the bank of England, and of the ſaid governor and company of merchants of Great Britain trading to the South Seas, and for encouraging the fiſhery, commonly called the South Sea Company, for taking in the ſubſcriptions, or receiving the conſents of ſuch perſons or corporations, as now are, or ſhall be, intereſted in, or intitled unto, any part of the ſaid annuities or intereſts, after the ſaid rate of four pounds per centum per annum, who are willing to accept of an annuity of three pounds ten ſhillings per centum per annum, in lieu thereof, from the ſaid twenty fifth day of December, one thouſand ſeven hundred and fifty, until the ſaid twenty fifth day of December, one thouſand ſeven hundred and fifty ſeven, and of an annuity of three pounds per centum per annum, from the ſaid twenty fifth day of December, one thouſand ſeven hundred and fifty ſeven, in ſuch manner as hath already been, or hereafter ſhall be directed in that behalf: and whereas in purſuance of the ſaid reſolution, notices have already been affixed in the office of the auditor of the ſaid receipt of exchequer, and in other the publick offices aforeſaid, and at the Royal Exchange of London, and alſo published in the London Gazette, that the book or books for taking in the ſaid ſubſcriptions, or receiving the ſaid conſents, were laid open at the ſaid receipt of exchequer, and in other the publick offices aforeſaid, to the end the proprietors of the ſaid annuities, after the ſaid rate of four pounds per centum per annum, might be apprized thereof, and make their ſubſcriptions, or give their conſents, in the ſaid reſpective book or books, under a proper preface to be prepared for that purpoſe, by ſubſcribing their reſpective ſums, names, and places of abode, with his, her, or their reſpective proper additions: and whereas it may ſo happen, that notwithstanding the ſaid ſeveral notices, many of the perſons or corporations intitled to the ſaid annuities or intereſts, after the ſaid rate of four pounds per centum per annum, may hitherto have omitted to make ſuch ſubſcriptions, or give their conſents in the ſaid books, in the manner before-mentioned; be it therefore enacted by the authority aforeſaid, That the ſaid ſeveral and reſpective books ſhall conſtantly be opened at the ſaid receipt of exchequer, and other the publick offices aforeſaid, for that purpoſe every day, Sundays only excepted, until the ſaid twenty eighth day of February, one thouſand ſeven hundred and forty nine, incluſive, and no longer; ſubject nevertheless to ſuch further directions, with reſpect to the taking in or receiving ſuch ſubſcriptions or conſents from the proprietors of the ſaid annuities of four pounds per centum per annum, as ſhall or may be given by the commiſſioners of the treaſury or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, for the benefit and advantage of the publick; and it ſhall and may be lawſul*

Books to be  
open at the  
exchequer,  
&c. until 28  
Feb. 1749, for  
ſubſcriptions  
of the 4 l. per  
cent.  
See 23 Geo. 2.  
c. 22.

lawful to and for the proprietors of the said annuities of four pounds *per centum per annum*, or such person or persons, as he, she, or they shall respectively authorize and empower by writing in that behalf, to subscribe or consent for them, in manner aforesaid, to have free access to the said several books, at all seasonable hours, and they have hereby power to make their subscriptions, or give their consents therein, for the whole sum or sums due to them, or any of them, according to this act, without any fee or charge whatsoever; and the several and respective officers of the said receipt of exchequer, and of other the publick offices aforesaid, appointed or to be appointed to take in such subscriptions, or receive such consents, as aforesaid, shall, during the time aforesaid, constantly attend at the said respective offices for that purpose, at such hours as business is usually transacted at the said several and respective publick offices.

IV. And be it further enacted by the authority aforesaid, That all and every person and persons, bodies politick or corporate, who have or shall, on or before the said twenty eighth day of *February*, one thousand seven hundred and forty nine, have subscribed, or given their consent in the book or books aforesaid, to accept of an interest or annuity after the rate of three pounds ten shillings *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven; and of an annuity of three pounds *per centum per annum*, to commence from the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, in lieu of their present annuities of four pounds *per centum per annum*, shall have, receive, and enjoy, and they are hereby declared to be intitled to an annuity of three pounds ten shillings *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty seven; and to an annuity of three pounds *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty seven, redeemable by parliament, in manner herein-after mentioned; and the said annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, and the principal or capital for which the same shall be payable, are hereby declared, and shall be adjudged, taken, and accepted in construction of law, and in all courts of law and equity whatsoever, to all intents and purposes whatsoever, to be a personal and not a real estate, and shall go to the executors or administrators of the person or persons dying possessed thereof, interested therein, or intitled thereunto, and not to the heirs of such person or persons; any law, statute, custom, or usage to the contrary notwithstanding; and that the said annuities shall be free from all taxes, charges, and impositions whatsoever, in the same manner as they now are.

Annuities secured to the subscribers;  
personal estate,  
free from taxes.

V. And it is hereby enacted and declared, That it shall and may

&c. impower-  
ed to ſub-  
ſcribe.

may be lawful for all executors, adminiſtrators, guardians, truſtees, committees of the eſtates of ideots or lunaticks, and the accomptant general of the court of chancery, and the deputy remembrancer of his Maſteſty's court of exchequer, to make, or cauſe to be made, ſubſcriptions in the ſaid book or books, ſignifying their conſent to accept an intereſt or annuity of three pounds ten ſhillings *per centum per annum*, from the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty, until the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty ſeven, and of an annuity of three pounds *per centum per annum*, to commence from the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty ſeven, for and on the behalf of their reſpective teſtators, infants, minors, femes covert, ideots, or lunaticks, and the ſuitors of the court of chancery, and of the ſaid court of exchequer, and others, for whom they are or ſhall be reſpectively entrusted; and ſuch executors, adminiſtrators, guardians, truſtees, committees, and accomptant general, and deputy remembrancer, are, and ſhall be, by virtue of this act, indemnified in and for doing the ſame.

Treafury to  
deſray the  
charges.

VI. Provided always, and be it further enacted by the authority aforeſaid, That the commiſſioners of the treafury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treafury for the time being, ſhall have power, and they are hereby authorized, out of any money remaining in the receipt of the exchequer, of or for the duties, revenues, and incomes appropriated for the payment of the ſaid annuities of four pounds *per centum per annum*, to reward all ſuch perſons as ſhall be any ways employed in the execution of this act, in relation to the taking in ſuch ſubſcriptions, or receiving ſuch conſents as aforeſaid, and to deſray all ſuch incident charges, as ſhall neceſſarily attend the execution of the ſaid act, in ſuch manner as to them ſhall ſeem juſt and reaſonable.

The funds  
made ſubject  
to the reduced  
interet,

VII. And it is hereby alſo enacted by the authority aforeſaid, That all the duties, revenues, and incomes which are now appropriated, ſubject, or applicable to the payment of the ſaid annuities of four pounds *per centum per annum*, ſhall, from and after the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty, be ſubject and liable to the payment of ſuch of the ſaid annuities of four pounds *per centum per annum*, as ſhall not be ſubſcribed, in caſe any ſhall be unſubſcribed, and alſo of the ſaid reduced annuities of three pounds ten ſhillings, and three pounds *per centum per annum*, in the ſame manner, to all intents and purpoſes, as the ſame were liable and ſubject to the payment of the ſaid annuities of four pounds *per centum per annum*; and all the monies coming into the exchequer, of or for the ſeveral duties, revenues, and incomes, appropriated, ſubject, or liable to the payment of the ſaid unſubſcribed annuities and of the ſaid reduced annuities of three pounds ten ſhillings *per centum per annum*, and three pounds *per centum per annum*, which

and the ſur-  
plus as be-  
fore.

which ſhall be more than ſufficient to answer and pay the ſaid reſpective annuities, ſhall, from and after the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty, be applied to the ſame uſes, intents, and purpoſes, and in the ſame manner, as the ſeveral ſurpluſſes, exceſſes, or overplus monies of the ſaid duties, revenues, and incomes are now applicable.

VIII. Provided always, and it is hereby enacted by the authority aforeſaid, That from and after the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty ſeven, the ſaid reduced annuities of three pounds *per centum per annum*, ſhall and may be redeemed by parliament, upon giving the ſaid notices, and making the ſame payments of principal money at a time to ſuch perſons or corporations as now are, or hereafter ſhall be, intitled to the ſaid annuities, and of all arrears of the ſaid annuities, as are directed to be given and made by the ſeveral and reſpective acts, by which the ſaid ſeveral annuities, after the rate of four pounds *per centum per annum*, were made payable, and from and after payment of any ſuch principal money, to the ſaid perſons or corporations, as are or ſhall be intitled to the ſame, a proportional part of the ſaid annuities ſhall ceaſe and determine, and be underſtood to be redeemed; any thing in this or any former act or acts of parliament to the contrary in any wiſe notwithstanding.

Clause of redemption.

#### CAP. II.

An act for granting an aid to his Maſteſty by a land tax to be raiſed in Great Britain, for the ſervice of the year one thouſand ſeven hundred and fifty. EXP. At 3*l.* in the pound.

#### CAP. III.

An act for continuing and granting to his Maſteſty certain duties upon malt, mum, cyder, and perry, for the ſervice of the year one thouſand ſeven hundred and fifty. EXP.

#### CAP. IV.

An act for puniſhing mutiny and deſertion; and for the better payment of the army and their quarters. EXP.

#### CAP. V.

An act for enlarging the term and powers granted by an act paſſed in the fifth year of the reign of his preſent Maſteſty, for repairing and amending the roads leading from the town of Manchester in the county of Lancaſter, through the town of Alhton under Line, and pariſh of Mottram Longleendale, and from thence to Salters Brook in the county palatine of Cheſter.

The act 5 Geo. 2. c. 10 continued for 21 years.

#### CAP. VI.

An act for repairing, improving, and maintaining the haven and piers of Great Yarmouth; and for deepening, and making more navigable the ſeveral rivers emptying themſelves into the ſaid haven; and alſo for preſerving ſhips, wintering therein, from accidents by fire.

WHEREAS by an act made in the twentieth year of his preſent Maſteſty's reign, intituled, An act to revive, continue, and

20 Geo. 2.  
c. 40.

and amend an act made in the ninth year of the reign of his late majesty King George the First (intituled, *An act for clearing, deepening, repairing, extending, maintaining, and improving the haven and piers of Great Yarmouth; and for deepening and making more navigable the several rivers emptying themselves at the said town; and also for preserving ships, wintering in the said haven, from accidents by fire*) the several duties, granted by the said act made in the ninth year of his said late Majesty's reign, for the purposes therein mentioned, were revived and made payable, from the twenty fourth day of June, one thousand seven hundred and forty seven, for and during the term of two years, and from thence to the end of the then next session of parliament: and whereas the said duties, revived and made payable as aforesaid, have not been sufficient for the effectual reparation and improvement of the said haven and piers, which (notwithstanding very great sums of money have already been expended in and about the same) have of late been, and still continue in so bad a condition, that the same will, unless some further and more effectual provision be made by parliament for the preservation thereof, in a short time fall into irreparable decay, and the harbour, so beneficial to the trade and navigation of this kingdom, become inaccessible: therefore for preserving to the inhabitants of the said borough, and of the adjacent counties, the benefit of the said haven and piers; and to the end that the said haven, which is of so great importance to the trade of these kingdoms in general, may be cleared and deepened, and the said piers repaired, extended, altered, improved, and maintained; and that the jetty on the north side of the said haven may be repaired and preserved, and timber, and other materials for those purposes, provided from time to time, as occasion shall require; and that the channel of that part of the river Yare called Braidon, leading from Great Yarmouth to the city of Norwich, and so much of the river Wenson, commonly called Yare, as lies between the new mills in Norwich and Hardly Cross in Hardly, in the county of Norfolk, and also the river Waveney, and also the river Bure, commonly called the North River (which said rivers empty themselves into the said haven) may be deepened and made more navigable for boats and keels usually passing upon the same, and that the bridge and publick keys belonging to the said town, may be repaired; may it please your Majesty that it may be enacted, &c.

From the 25th of March, 1750. the duties payable by the said act shall cease; and there shall be paid for 21 years, and to the end of the next session, by every master of a ship, which shall unlade within the haven, or in Yarmouth Road, from the south part of Scratby, to the north part of Corton, for every chaldron of coals, last of wheat, or other grain, and weigh of salt, and for every ton of other goods (fish excepted) viz. for 7 years 1s. 6d. and for the remainder of the 21 years. &c. 10d. or such greater sum, as the commissioners shall order, not exceeding 12d. Collectors to pay over the monies to the chamberlain. Salary allowed them of 6d. in the pound. Corporation to be answerable for all monies received; and impowered to call the collectors and chamberlains to account; and to levy the same by distress and sale; and where no distress can be had, to commit the party. Twelve commissioners to be nominated annually: three by the corporation of Yarmouth, three by the corporation

Corporation of Norwich, three by the justices of Norfolk, and three by the justices of Suffolk. Proportion in which the duties are to be applied. 1. 2q. towards cleansing the river Yare, &c. and the expence of a commission of sewers. 2q. towards cleansing the north river, &c. and the expence of a commission of sewers. 2q. towards clearing the river Waveney, and the expences of a commission of sewers. 2q. towards repairing the bridge, and public keys. Other 3d. in the following proportions: 2q. towards clearing the river Bure; 2d. 2q. towards clearing the river Yare. The last mentioned 3d. not to be raised unless necessary, and notice be given by the commissioners to the mayor. 4d. to be applied for 7 years in clearing the haven, &c. If the said sum shall not be sufficient, the commissioners impowered to order a further part of the residue of the duties to be applied towards clearing the haven. Not to be applied in erecting new works, &c. 8d. to be applied for 7 years in extending the haven, and erecting new works. Commissioners to appoint a committee of 12 inhabitants, who are to inspect the works, &c. The duty of 8d. to cease upon certificate of the works being completed. Upon determination of the duty of 8d. 4d. is to be applied towards clearing the haven, &c. If 4d. shall not be found sufficient, the commissioners to direct a further sum of 2d. to be raised. If the commissioners shall not audit the accounts yearly, the corporation is impowered to examine the same. No ship to be cleared at the custom-house till payment of the duties. Fish oil, &c. exempted from payment of the duties. On re-exportation of goods, the duties to be repaid. Penalty on throwing ballast, &c. into the haven. The mayor to appoint a nightly watch. Vessels wintering to pay 2q per ton, towards the watch. Penalty of 10s. on suffering fire or lighted candle in ships wintering in the haven. Watch impowered to go on board to extinguish lights. No vessel to be moored with her side towards the key for longer than one tide, &c.

## CAP. VII.

An act for enlarging the term and powers granted and continued by two former acts of parliament for repairing, widening, and amending the roads from Wigan to Preston in the county palatine of Lancaster; and for making the said acts more effectual.

*The acts 13 Geo. 1. c. 10. and 20 Geo. 2. c. 8. continued for 21 years.*

## CAP. VIII.

An act for enlarging the term and powers granted and continued by two acts of parliament, for amending the highways leading from Brampton Bridge to Welford Bridge, in the county of Northampton, and the great post road from Morter Pitt Hill to Chain Bridge, leading into Market Harborough in the county of Leicester; and for explaining and making more effectual the said acts; and also for repairing the roads leading from Morter Pitt Hill and Brampton Bridge to the town of Northampton.

*The acts 8 Geo. 1. c. 13. and 12 Geo. 2. c. 35. continued for 21 years.*

## CAP. IX.

*An act for repealing the duties now payable upon China raw silk, and for granting other duties in lieu thereof.*

**W**HEREAS the duties now payable upon raw silk imported from China are a great discouragement to the importation thereof: and whereas a constant and plentiful supply of that valuable commodity to be manufactured in this kingdom will be a publick benefit, and greatly contribute to the increase and improvement of the silk manufactures: therefore we, your Majesty's most dutiful and loyal subjects, the commons of Great Britain, being desirous to promote and encourage the manufactures of this kingdom, do

most



The present duties payable on importation of raw silk from China to cease.

Raw silk from China to pay the same duties as raw silk of Italy.

The manner of levying and application of the duties.

Raw silk from China, to be allowed the same drawback.

most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of *June*, one thousand seven hundred and fifty, the several rates, duties, subsidies, and impositions, now payable upon the importation of raw silk of the growth or produce of *China*, by virtue of several acts of parliament now in force, shall cease, determine, and be no longer paid.

II. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, all raw silk imported from *China* into this kingdom by the united company of *Merchants* of *England* trading to the *East-Indies*, or by any licence from the said company, shall, in lieu of the said rates, duties, subsidies, and impositions, by this act repealed, as aforesaid, be charged with and pay the same rates, duties, subsidies, and impositions, as are now charged upon, and payable for, raw silk of the growth or produce of *Italy*; which said rates, duties, subsidies, and impositions, by this act granted, shall be paid by the said united *East-India* company, at the same times, and in the same manner, as the several rates, duties, subsidies, and impositions, by this act repealed, as aforesaid, have been paid.

III. And be it further enacted by the authority aforesaid, That the several rates, duties, subsidies, and impositions, by this act granted, shall be raised, levied, collected, paid and applied, in such manner, and for the same purposes, as the said several rates, duties, subsidies, and impositions, by this act repealed, as aforesaid, are now respectively raised, levied, collected, paid, and applied; and all the provisions of or in any act or law now in force for raising, levying, collecting, paying, and applying the rates, duties, subsidies, and impositions hereby repealed, as aforesaid, shall be in full force, and shall be put in execution for raising, levying, collecting, paying, and applying the rates, duties, subsidies, and impositions, by this act granted, as fully and effectually, to all intents and purposes, as if the said provisions were particularly repeated and re-enacted in the body of this present act.

IV. And be it further enacted and declared by the authority aforesaid, That all raw silk of the growth or produce of *China*, imported after the twenty fourth day of *June*, shall, upon the exportation thereof from this kingdom, be intitled to and receive the same drawbacks and allowances only, as are now by law directed to be paid upon the exportation of raw silk of the growth or produce of *Italy*; any law or usage to the contrary notwithstanding.

#### CAP. X.

An act for enlarging the term and powers granted by an act passed in the fourth year of the reign of his present Majesty, *For repairing the road leading*

754.]

leading from the town of Fulham in the county of Middlefex, through Fulham fields to the great road near the pound at Hammerfmith in the faid county.

The act 4 Geo. 2. c. 34 continued for 21 years.

C A P. XI.

*An act to render prosecutions for perjury, and fubornation of perjury, more eafy and effectual.*

**W**HEREAS by reason of difficulties attending prosecutions for perjury, and fubornation of perjury, thofe heinous crimes have frequently gone unpunifhed, whereby wicked and evil-difpofed perfons are daily more and more emboldened to commit the fame, to the great difhonour of God, and manifefl let and hindrance of juftice; for remedy whereof be it enacted by the King's moft excellent mafefly, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That in every information or indictment to be profecuted againft any perfon for wilful and corrupt perjury, it fhall be fufficient to fet forth the fubftance of the offence charged upon the defendant, and by what court, or before whom the oath was taken (averring fuch court or perfon or perfons, to have a competent authority to adminifter the fame) together with the proper averment or averments to falify the matter or matters wherein the perjury or perjuries is or are affigned; without fetting forth the bill, anfwer, information, indictment, declaration, or any part of any record or proceeding either in law or equity, other than as aforefaid; and without fetting forth the commiffion or authority of the court, or perfon or perfons before whom the perjury was committed; any law, ufage, or cuftom to the contrary notwithstanding.

What fhall be fufficient in indictments of perjury.

II. And be it further enacted by the authority aforefaid, That in every information or indictment for fubornation of perjury, or for corrupt bargaining or contracting with others to commit wilful and corrupt perjury, it fhall be fufficient to fet forth the fubftance of the offence charged upon the defendant, without fetting forth the bill, anfwer, information, indictment, declaration, or any part of any record or proceeding, either in law or equity, and without fetting forth the commiffion or authority of the court, or perfon or perfons before whom the perjury was committed, or was agreed or promifed to be committed; any law, ufage, or cuftom to the contrary notwithstanding.

Informations, &c. for fubornation of perjury.

III. And the better to prevent great offenders from efcaping punifhment by reason of the expence attending fuch prosecutions; be it further enacted by the authority aforefaid, That it fhall and may be lawful to and for any of his Mafefty's juftices of affize, or *Nifi prius*, or general gaol delivery, or of any of the great feflions of the principality of *Wales*, or of the counties palatine; and they are hereby authorized (fitting the court, or within twenty four hours after) to direct any perfon examined as a witnefs upon any trial before him or them, to be profecuted for the faid offence of perjury, in cafe there fhall appear to him

Juftices of affize, &c. may direct prosecutions againft perfons examined before them being guilty of perjury.

or

and assign the  
prosecutor  
council.

The prosecution to be carried on without fees.

The clerk of  
assize to give  
the prosecutor  
a certificate.

or them a reasonable cause for such prosecution, and that it shall appear to him or them proper so to do; and to assign the party injured, or other person undertaking such prosecution, council, who shall and are hereby required to do their duty without any fee, gratuity, or reward for the same: and every such prosecution, so directed as aforesaid, shall be carried on without payment of any tax or duty, and without payment of any fees in court, or to any officer of the court, who might otherwise claim or demand the same; and the clerk of assize, or his associate or prothonotary, or other proper officer of the court (who shall be attending when such prosecution is directed,) shall and is hereby required, without any fee or reward, to give the party injured, or other person undertaking such prosecution, a certificate of the same being directed, together with the names of the council assigned him by the court; which certificate shall in all cases be deemed sufficient proof of such prosecution having been directed as aforesaid, provided that no such direction or certificate shall be given in evidence upon any trial to be had against any person upon a prosecution so directed as aforesaid.

## C A P. XII.

*An act for improving the navigation of the river Loynes, otherwise called Lune; and for building a quay or wharf near the town of Lancaster in the county palatine of Lancaster.*

**W**HEREAS the town of Lancaster, in the county palatine of Lancaster, from its great and extensive commerce to the West Indies, and other foreign parts, is now become a very considerable port; and has for some time past employed and maintained great numbers of ships, mariners, and seamen, to the great advancement of the revenue, and the improvement of the trade and navigation of this kingdom: and whereas the navigation of the river Loynes, otherwise called Lune, is become very difficult and dangerous; and the only place near the said town where ships can be moored and discharged, is by reason of the shoals, and other obstructions in the soil of the said river, become very unfit and unsafe for that purpose: insomuch that many ships and vessels stationed there, have been overset and damaged, to the great loss of the owners and freighters thereof respectively: and whereas it is conceived to be highly necessary for the benefit and improvement of the said navigation, that a quay or wharf, with other conveniences, should be built and erected on the south west side of the said river, and that buoys should be placed at the entrance into the said river, and other parts thereof, and land marks erected, for guiding and directing ships and vessels to and from the said town; and that a place of safety should be made for the harbouring and protection of the shipping at or near the mouth of the said river; which would tend not only to the preservation and security of ships trading to and from the said town, but also of his Majesty's ships of war, and other vessels, that should put in there by stress of weather, or otherwise: and whereas the reverend James Fenton doctor of laws, vicar of the parish church

*church of Lancaster, and in the diocese of Chester, is in right of the said church feised of and in divers parcels of land and ground herein after mentioned and described, which are very commodiously and conveniently situated for the purposes afore-mentioned; and the right reverend Samuel lord bishop of Chester, the ordinary, Edward Marton esquire, the patron or owner of the advowson of the vicarage of the said church, and the said James Fenton, the present incumbent thereof, have respectively consented and agreed, that the said pieces or parcels of ground shall be converted, applied, and disposed of, for the purposes herein after-mentioned; but under, and subject to the rents, reservations, provisions, and restrictions herein after expressed, provided, and declared: wherefore for the promoting, carrying on, and effecting a design so beneficial for the town of Lancaster, and so conducive to the increase of trade and navigation, and the good of the publick; may it please your most excellent Majesty, that it may be enacted, &c.*

Certain parcels of lands vested in trustees, for the purposes of this act. The vicar of the parish to be paid thereout an annual rent of 14l. 14s. by quarterly payments. The lands to be employed as a wharf, &c. Upon the death of any trustee, another to be chosen, &c. Conveyance of the premises to be made to the new trustee. The trustees to separate the lands vested in them from the other parts of the vicarage lands by a stone wall; and to make a reservoir of water, &c. and in case of any overflow, to divert the waters into the Lojne, &c. Occupiers of the vicarage lands impowered to take sand along the Summer-Pasture, and to drive their cattle to and from water. The ways to be appointed by the trustees, or on their neglect, by the vicar. The vicar to have the herbage until the division wall be built. No way, &c. to be made through the wall, without consent of the vicar. Commissioners appointed to execute this act to May, 1755. Upon the death of any commissioner another to be elected. Merchants, &c. to meet every third year, and nominate 16 inhabitants to be joint commissioners, who are impowered to build a quay, &c. and to let the same; and to erect piers at the mouth of the river, &c. Duties granted on vessels coming into or going out of the port for the term of 21 years. No vessel to pay inwards and outwards for the same voyage. One moiety of the duties only to cease after 21 years. No vessel to be cleared at the custom-house without a certificate of payment of the duties. Commissioners impowered to make by-laws, &c. and to contract for the works; and to borrow 2000l. on the duties. Collectors books of receipts and payments, to be produced at the quarter sessions. Commissioners to appoint collectors, and to allow them not exceeding 1s. in the pound. Commissioners to meet twice in the year, and audite all accounts, and may remove collectors, &c. Commissioners to appoint a person who shall order the mooring, &c. of ships. Twenty shillings penalty on throwing rubbish, &c. into the river.

#### SCHEDULE of the duties.

**F**OR every ship coming in or going out of the port of Lancaster, and trading to or from any place in Europe, within the Streights; or in Africa, America, or Greenland, 1s. per ton.

For every ship trading to or from any foreign port in Europe, 8d. per ton.

For every ship trading to or from any place in Great Britain south of Holly Head, or north of the Mull of Galloway, 6d. per ton.

For every ship trading to or from any place in Ireland, or the Isle of Man, 4d. per ton.

For every ship trading to or from any place in Great Britain north of Holly Head, or south of the Mull of Galloway, 2d. per ton.

And

And for every ship coming in ballast into the river Loyne, and not lading, or unlading, for every ton one fourth part of the duties.

## CAP. XIII.

*An act for the effectual punishing of persons convicted of seducing artificers in the manufactures of Great Britain or Ireland, out of the dominions of the crown of Great Britain; and to prevent the exportation of utensils made use of in the woollen and silk manufactures from Great Britain or Ireland, into foreign parts; and for the more easy and speedy determination of appeals, allowed in certain cases, by an act made in the last session of parliament, relating to persons employed in the several manufactures therein mentioned.*

5 Geo. I. c. 27. **W**HEREAS by an act made in the fifth year of the reign of his late majesty King George the First, intituled, An act to prevent the inconveniencies arising from seducing artificers in the manufactures of Great Britain, into foreign parts; it is amongst other things enacted, That if any person or persons shall contract with, entice, endeavour to persuade, or solicit any manufacturer or artificer of or in wooll, iron, steel, brass, or any other metal, clock-maker, watch-maker, or any other artificer or manufacturer of Great Britain, to go out of this kingdom, into any foreign country out of his Majesty's dominions, and shall be lawfully convicted thereof, in the manner prescribed by the said act; the person and persons so convicted, shall be fined any sum not exceeding one hundred pounds for such first offence, according to the discretion of the court, in which such conviction shall be, and shall be imprisoned for the space of three months, and until such fine shall be paid; and if any person or persons having been once convicted as aforesaid, shall offend again, and be so convicted a second time of the like offence, then, and in such case, the person so convicted a second time shall be fined at the discretion of the court, where such conviction shall be, and shall be imprisoned for twelve months, and until such fine shall be paid: and whereas, notwithstanding the penalties to which offenders against the said act are thereby subjected, divers wicked and evil disposed persons have of late seduced into foreign parts several artificers in the woollen and other manufactures: and it is therefore become necessary to make some further and more effectual provision, to deter such persons from committing the said offences, so destructive to the trade of this kingdom: therefore for preventing the said pernicious practices for the future, and for explaining, amending, and rendering more effectual the said act, be it enacted by the King's most excellent majesty, by and with the advice and content of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if at any time after the twenty fourth day of June, one thousand seven hundred and fifty, any person or persons shall contract with, entice, persuade, or endeavour to persuade, solicit, or seduce any manufacturer, workman, or artificer of or in wooll, mohair,

Persons convicted of seducing artificers in the manufactures of Great Bri-

hair, cotton, or silk, or of or in any manufactures made up of  
wooll, mohair, cotton, or silk, or any of the said materials mix-  
ed one with another, or of or in iron, steel, brass, or any other  
metal, or any clock-maker, watch-maker, or any other manu-  
facturer, workman, or artificer of or in any other of the manu-  
factures of *Great Britain or Ireland*, of what nature or kind so-  
ever, to go out of this kingdom, or out of the kingdom of *Ire-*  
*land*, into any foreign country, not within the dominions of or  
belonging to the crown of *Great Britain*; and shall be lawfully  
convicted thereof, upon any indictment or information to be  
preferred or brought against him, her, or them, in his Majes-  
ty's court of *King's Bench* at *Westminster*, or by indictment at the  
assizes or general gaol delivery for the county, riding, or divi-  
sion, wherein such offence shall be committed (if such offence  
shall be committed in that part of *Great Britain* called *England*)  
or by indictment in the court of justiciary, or any of the circuit  
courts in *Scotland* (if such offence shall be committed in that  
part of *Great Britain* called *Scotland*) or by indictment or infor-  
mation in his Majesty's court of *King's Bench* at *Dublin* (if such  
offence shall be committed in *Ireland*) the person or persons so  
convicted, shall, for every artificer, workman, or manufacturer,  
so by him, her, or them, respectively contracted with, enticed,  
persuaded, solicited, or seduced, severally forfeit the sum of five  
hundred pounds of lawful money of *Great Britain*; and shall  
also suffer imprisonment in the common gaol of the county, rid-  
ing, division, shire, or stewartry, wherein such offender or offend-  
ers shall be respectively convicted, for the space of twelve cal-  
endar months without bail or mainprize, and until such forfeit-  
ure shall be paid; and in case of a further conviction, in man-  
ner before prescribed by this act, for or upon a second or other  
subsequent offence of the same kind, the person or persons so  
again offending, shall, upon every second or other subsequent  
conviction, severally forfeit for every person so by him, her, or  
them respectively contracted with, enticed, persuaded, solicited,  
or seduced, the sum of one thousand pounds of lawful money of  
*Great Britain*; and shall also suffer imprisonment in the com-  
mon gaol of the county, riding, division, shire, or stewartry,  
wherein such offender or offenders shall be respectively convict-  
ed, for the space of two years, without bail or mainprize, and  
until such forfeiture shall be paid; any thing in the said in part  
recited act of the fifth year of his said late Majesty's reign to the  
contrary notwithstanding.

to forfeit 500l.  
and to be im-  
prisoned for 12  
months.

and for a se-  
cond offence  
to forfeit  
1000l.

prisoned for 2  
years.

II. Provided nevertheless, That no person shall be prosecuted  
for any of the offences aforesaid, unless such prosecution shall be  
commenced within the space of twelve calendar months next af-  
ter such offence shall be committed.

Prosecution to  
be commenc-  
ed within 12

III. And whereas the exportation of the several tools or utensils  
made use of in preparing, working up, and finishing the woollen and  
silk manufactures, or any or either of them, will enable foreigners to  
work up such manufactures, and thereby greatly diminish the exporta-  
tion of the same from this kingdom: therefore, for preserving as  
much

Persons ex-  
porting uten-  
sils of the wool-  
len and silk  
manufactures.

shall forfeit  
the tools and  
wool.

Officers of the  
customs im-  
powered to  
seize tools  
found on  
board ships  
bound to fo-  
reign parts ;

to be sold af-  
ter condemna-  
tion.

Captains of  
vessels per-  
mitting such  
utensils to be  
put on board  
to forfeit wool.

much as possible to his Majesty's *British* subjects, the benefits arising from those great and valuable branches of trade and commerce ; be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, if any person or persons in *Great Britain* or *Ireland*, shall, upon any pretence whatsoever, load or put on board, or cause to be loaden or put on board of any ship, vessel or boat which shall not be bound directly to some port or place in *Great Britain* or *Ireland*, or to some other of the dominions of the crown of *Great Britain*, any such tools or utensils as are commonly used in, or are proper for the preparing, working up, or finishing of the woollen or silk manufactures, or any or either of them, or any parts or parcels of such tools or utensils, by what name or names such tools or utensils shall or may be called or known, the person or persons so offending, shall for every such offence, not only forfeit and lose all such tools and utensils, or parts or parcels thereof, which shall be so loaden or put on board as aforesaid, but also the sum of two hundred pounds of lawful money of *Great Britain*, to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of session in *Scotland*, or in any of the four courts at *Dublin* respectively, wherein no essoin, protection, privilege, or wager of law shall be allowed, or more than one imparlance.

IV. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, it shall and may be lawful to and for any officer of his Majesty's customs in *Great Britain*, and for any officer of the revenue in *Ireland*, to seize and secure in some or one of his Majesty's warehouses, all such tools or utensils by this act prohibited to be exported, as such officer shall find or discover to be laid or put on board of any ship, vessel, or boat, which shall not be bound directly to some port or place in *Great Britain* or *Ireland*, or to some other of the dominions of the crown of *Great Britain*, and that every officer who shall seize and secure any of the said tools or utensils, shall be fully and absolutely indemnified for so doing ; and all tools or utensils so seized and secured as aforesaid, shall, after condemnation thereof, in due course of law, be publickly sold to the best bidder, and one moiety of the produce arising by the sale of such tools and utensils, shall be to the use of his Majesty, his heirs and successors, and the other moiety to the officer who shall seize and secure the same as aforesaid.

V. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, if the captain or master of any ship, vessel, or boat, in *Great Britain* or *Ireland*, shall knowingly permit any of the said tools, or utensils by this act prohibited to be exported as aforesaid, to be put on board his said ship, vessel, or boat, every such captain or master shall, for every such offence, forfeit the sum of one hundred pounds of lawful money of *Great Britain*, to be sued for and recovered

ed in the same manner as the penalties by this act inflicted upon persons exporting the said tools or utensils are to be sued for and recovered; and if the said ship, vessel, or boat belongs to his Majesty, his heirs or successors, then the captain or master thereof shall not only forfeit the sum of one hundred pounds of lawful money of *Great Britain*, to be sued for and recovered as aforesaid, but shall also forfeit his employment, and be incapable of any office or employment under his Majesty, his heirs or successors.

Captains of his Majesty's ships to forfeit tool. and to be cashiered.

VI. And be it further enacted by the authority aforesaid, That if any customer, comptroller, surveyor, searcher, waiter, or other officer of the customs in *Great Britain*, or any officer of the revenue in *Ireland*, shall take, or knowingly or willingly suffer to be taken, any entry outward, or shall sign any cocket, warrant, or sufferance for the shipping or exporting of any of the said tools or utensils by this act prohibited to be exported, or shall knowingly or willingly permit or suffer the same to be done, directly or indirectly, contrary to the true intent and meaning of this act, every such customer, comptroller, surveyor, searcher, waiter, or other officer of the customs in *Great Britain* or officer of the revenue in *Ireland* so offending, shall forfeit the sum of one hundred pounds of lawful money of *Great Britain*, to be sued for, and recovered as aforesaid; and shall also forfeit his office, and be incapable of any office or employment under his Majesty, his heirs or successors.

Officer of the custom house, signing cockets, &c. for the exporting such tools.

to forfeit tool. and his employment.

VII. And be it further enacted by the authority aforesaid, That one moiety of the respective forfeitures by this act inflicted upon offenders against the same, shall, when recovered, go and be applied to the use of his Majesty, his heirs and successors, and the other moiety to the use of the person or persons who shall sue and prosecute for the same respectively.

One moiety to the King, the other to the prosecutor.

VIII. And be it further enacted by the authority aforesaid, That if any suit or action shall be commenced against any person for what he shall do in pursuance of this act, such action shall be commenced within six months after the fact committed; and the person so sued may file common bail, or enter a common appearance, and plead the general issue, not guilty, and may give this act, and the special matter in evidence; and if the plaintiff or prosecutor shall become nonsuit, or suffer discontinuance, or if a verdict pass against him, or if, upon demurrer judgment be given against him, the defendant shall recover treble costs.

Limitation of actions.

General issue.

Treble costs.

IX. And whereas by an act made in the last session of parliament (intituled, An act for the more effectual preventing of frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, furr, hemp, flax, mohair, and silk manufactures; and for preventing unlawful combinations of journeymen dyers and journeymen hot-pressers, and of all persons employed in the said manufactures; and for the better payment of their wages) it is, amongst other things enacted, That if any person convicted of buying, Vol. XX.

22 Geo. 2. c. 27.

receiving,



A form of  
conviction on  
the recited act.

receiving, or taking to pawn any of the materials in the said act mentioned, shall think himself or herself aggrieved by the judgment of the justice or justices before whom he or she shall have been convicted, such person shall have liberty to appeal to the justices at the next general or quarter sessions of the peace which shall be held for the county, riding, division, city, liberty, town, or place where such judgment shall have been given; which justices, in the said general or quarter sessions, are to hear and finally determine the matter of the said appeal: but whereas great delays and inconveniencies have arisen and may arise in the hearing and determining of such appeals, inasmuch as no provision is made by the said act in relation to the form or manner in which such convictions shall be drawn up; therefore, for preventing such delays and inconveniencies for the future, be it further enacted by the authority aforesaid, That the justice or justices of the peace before whom any person shall be convicted, in manner prescribed by the said act, of buying, receiving, or taking to pawn any of the materials or wares therein mentioned, shall cause such conviction to be drawn up in the form and words following; (that is to say)

Middlesex, **B**E it remembered, That on the                      day of  
to wit,                      in the                      year of his Majesty's reign  
A. B. was convicted before me [or us]                      of his  
Majesty's justices of the peace for the said county of  
[or for the                      riding [or division] of the said  
county of                      ] or for the city, liberty, or town of  
in the said county of                      (as the case  
shall be) of buying, receiving, or taking to pawn (as the  
case shall happen to be)                      (specifying the ma-  
terials or wares so bought, received, or taken to  
pawn) the property of C. D. of                      in the county  
of                      and by him [or her] delivered to                      to  
be manufactured.

*Given under my hand and seal [or our hands and seals]  
the day and year aforesaid.*

Not liable to  
be removed by  
Certiorari;

and transmitt-  
ed to the ses-  
sions.

Justices to  
hear appeals.

Which said form and conviction shall not be liable to be removed by Certiorari into his Majesty's court of King's Bench; and the said justice or justices before whom such conviction shall be had shall cause the same, drawn up in the form aforesaid, to be fairly written upon parchment, and transmitted to the next general or quarter sessions of the peace to be held for the county, riding, division, city, town, or liberty, wherein such conviction was had, to be filed and kept amongst the records of the said general or quarter sessions; and in case the person or persons so convicted shall appeal from the judgment of the said justice or justices to the said general or quarter sessions, the justices in such general or quarter sessions are hereby required, upon receiving the said conviction drawn up in the form aforesaid, to proceed to the hearing and determination of the matter of

1750.] Anno vicefimo tertio GEORGII II. c. 14.  
of the faid appeal, according to the direCTIONS of the faid act ;  
any law or uſage to the contrary notwithstanding.

19

#### C A P. XIV.

*An act for aſſigning a place proper for holding a market in  
the city of Weſtminſter, in lieu of the ancient market place  
called the Round Woolſtiple ; and for regulating the ſaid  
market.*

**W**HEREAS the market for the city of Weſtminſter, hath,  
from ancient times, been held from or under the dean and  
chapter of the collegiate church of Saint Peter, Weſtminſter, by  
their leſſee, of the office of keeper and ſweeper of the ſaid market, in  
a place called the Round Woolſtiple, in the pariſh of Saint Mar-  
garet, in the ſaid city of Weſtminſter ; which market place hath been  
lateſt purchaſed by the commiſſioners conſtituted and appointed by di-  
vers ſtatutes for building a bridge croſs the river Thames, from the  
Woolſtiple, or thereabouts, in the pariſh of Saint Margaret, Weſt-  
minſter, to the oppoſite ſhore in the county of Surry, for the ſum of  
eight hundred and forty pounds ; and the ſaid ground hath been con-  
verted by the ſaid commiſſioners to the publick uſe of widening the  
ſtreets leading to and from the ſaid bridge, according to the direCTIONS  
of the ſaid ſtatutes : and whereas it is neceſſary for the accommodation  
of the inhabitants of the ſaid city of Weſtminſter, that the ſaid mar-  
ket ſhould be held in ſome other convenient place ; and the moſt conve-  
nient place for that purpoſe is within the bounds and limits hereafter  
deſcribed ; that is to ſay, between the place called the Broad Sanctu-  
ary, in the pariſh of Saint Margaret in the ſaid city of Weſtmin-  
ſter, and Bow Street in the ſaid pariſh : and whereas the ground and  
ſoil within the ſaid limits, or the greateſt part thereof, is the freehold  
of the ſaid dean and chapter, and by them leaſed out for terms of years  
to their tenants ; and that the ſaid dean and chapter would be willing  
and deſirous, for the accommodation of the inhabitants of the ſaid city,  
that the ſaid ſum of eight hundred and forty pounds ſhould be applied  
in buying in ſuch leaſes or terms of years as are out-ſtanding, and in  
purchaſing ſuch other eſtates as might be neceſſary for holding the ſaid  
market within the ſaid limits, in caſe ſuch application of the ſaid money  
was not reſtrained by the ſaid acts of parliament made for the building  
the ſaid bridge, whereby the ſaid money is directed to be laid out in the  
purchase of eſtates in fee ſimple : and whereas other difficulties may a-  
riſe in the purchase of ſuch ground as may be neceſſary for holding the  
ſaid market, within the limits aforeſaid, by reaſon of legal diſabilities  
which the owners or occupiers of ſuch ground may be under to diſpoſe  
of the ſame to the ſaid dean and chapter for the purpoſes aforeſaid ;  
which difficulties cannot be removed but by authority of parliament ;  
be it therefore enacted, &c.

The commiſſioners may extend the limits of the new market within the  
open ſpace of the Broad Sanctuary, ſo far as a line from the gateway of  
Green's Alley, to the front of the houſe on the eaſt of the way from the  
Broad Sanctuary into the Little Sanctuary, will admit. The commiſſion-  
ers are to ſet out the ground ; and the dean and chapter to purchaſe the  
ſame ; and to have the right of holding the market, and the rents and pro-  
fits

*fits thereof.* No provisions to be ſold within 100 feet of the bounds of the market, without licence, under penalty of ſl. Juſtices may mitigate the penalties. Perſons aggrieved may appeal to the quarter ſeſſions. Proceedings not to be removed by Certiorari. If any perſon reſuſe to treat, the commiſſioners are to iſſue out a warrant to the high ſhaliſſ to return a jury, to view the places in queſtion, and to aſſeſs upon oath the recompence. Commiſſioners to give judgement thereon. 10 days notice to be given to the parties intereſted, before ſuch aſſeſſment. The verdicts, &c. to be entered in the regiſter's office of the county of Middleſex, &c. Upon payment or tender of the purchaſe-money, the diſſan and chapter may enter on the premiſſes, and convert the ſame into a market. No leaſes to be for leſs than the rents heretofore paid for the market in the Round Woolſtaple, &c.

## CAP. XV.

*An act for taking down ſeveral buildings, and enlarging the ſtreets and market places in the city of Glouceſter.*

**W**HEREAS the trade and inhabitants of the city of Glouceſter have of late years greatly increaſed: and whereas, in the four chief ſtreets of the ſaid city, commonly called Eaſtgate Street, Weſtgate Street, Northgate Street, and Southgate Street, and where the markets are uſually kept, there are ſeveral old houſes or tenements, ſtalls, and buildings, ſome of which ſtand in the middle of the ſaid ſtreets, and the reſt of them jet out, project, and are extending irregularly beyond the range or ſides of the ſaid ſtreets, towards the middle thereof reſpectively; whereby the area of, or places uſed for the markets of the ſaid town are greatly ſtraightened and confined, and the paſſage of carriages, horſes, cattle, and perſons, in and through the ſame, is very much obſtructed, and rendered difficult and dangerous; and whereas by taking down the ſeveral houſes or tenements, ſtalls, and buildings aforeſaid, the ſaid ſtreets will be greatly opened, and rendered much more commodious for the paſſage of carriages and foot paſſengers, and for the holding and keeping the fairs and markets, and carrying on the trade and buſineſs of the ſaid city; and the owners of ſuch houſes or tenements, ſtalls, and buildings, or the greateſt part of them, are willing to ſell and diſpoſe of the ſame, in order that they may be taken down for the purpoſes aforeſaid: but as ſeveral of the ſaid houſes or tenements, ſtalls, and buildings, and the ſite and ſoil of the ſame reſpectively, belong to, and are the eſtates and property of eccleſiaſtical and other incorporated bodies, femes covert, infants, and others, who by law are diſabled to make an abſolute ſale and conveyance thereof in fee-ſimple, the ſame cannot be applied and diſpoſed of for the purpoſes aforeſaid without the aid and authority of parliament; May it therefore pleaſe your Maſteſty, that it may be enacted, &c.

Commiſſioners impowered to contract for the purchaſe of ſuch houſes and grounds as are deſcribed in the ſchedule. Perſons intereſted, impowered to make ſale thereof. If any reſuſe to treat, or if the ſame be the property of infants not having guardians, the commiſſioners are to iſſue warrants to the ſheriff, to return a jury, who ſhall inquire upon oath into the damages and recompence, and their verdicts to be binding to all parties. 3 days notice to be given of the commiſſioners and jury's meeting. The purchaſe money of the eſtates of infants and femes covert, &c. to be paid to the mayor and burgeſſes of Glouceſter. Upon payment or tender of the purchaſe-money, the commiſſioners may cauſe the buildings to be taken down, and the ground to be uſed as a highway. The purchaſe money of

1750.]

Anno vicefimo tertio GEORGI II. c. 16.

21

of the estates of infants and femes covert, to be laid out in other purchafes to the fame ufe; and till purchafes can be made, the money is to be put out to intereft, &c.

# CAP. XVI.

*An act for granting to his Majesty the fum of one million, to be raifed by annuities at three pounds per Centum per Annum, and charged on the finking fund, transferrable at the bank of England.*

*Most gracious Sovereign,*

**W**E, your Majesty's moft dutiful and loyal fubjects, the commons of *Great Britain* in parliament affembled, being defirous to raife the neceffary fupplies which we have cheerfully granted to your Majesty, in the eafieft manner we are able for the benefit of your fubjects, have freely and voluntarily given and granted, and by this act do give and grant unto your Majesty the fum of one million, to be raifed in fuch manner and form as is herein after directed; and to that end do moft humbly befeech your Majesty, that it may be enacted; and be it enacted by the King's moft excellent Majesty, by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That the annuities which by this act fhall be granted and made payable in refpect of the faid principal fum of one million, until redemption thereof by parliament, in manner herein after mentioned, fhall, from and after the feaft day of the annunciation of the Blessed Virgin *Mary*, which fhall be in the year of our Lord one thoufand feven hundred and fifty, be charged and chargeable upon, and payable out of the monies which, from and after the faid feaft day, fhall, from time to time, arife and be remaining in the receipt of his Majesty's exchequer, of or for the furplufes, exceffes, or overplus monies of the fund, commonly called the *finking fund*; and the faid furplufes, exceffes, or overplus monies are hereby appropriated for that purpofe accordingly.

The fum of 1,000,000l. granted to his Majesty.

The annuities payable in refpect thereof to be charged on the finking fund.

II. And for or towards raifing the faid fum or fums of money, not exceeding in the whole the faid fum of one million, for the purpofes aforefaid, be it further enacted by the authority aforefaid, That it fhall and may be lawful to and for any perfon or perfons, natives or foreigners, bodies politick or corporate, to contribute, advance, and pay to the firft or chief cashier or cashiers of the government and company of the bank of *England* for the time being, at or before the refpective days and times by this act limited in that behalf, any fum or fums of money, not exceeding in the whole the faid fum of one million, for the purchafe of any annuity or annuities, to commence from the faid feaft of the annunciation of the blessed Virgin *Mary*, in the faid year one thoufand feven hundred and fifty, and to be paid and payable to fuch contributor or contributors, or fuch as he, fhe, or they fhall nominate, his, her, or their executors, adminiftrators, fucceffors, or affigns refpectively, until the fame fhall

Natives or foreigners may contribute to the faid fum of 1,000,000l.

for the purchafe of annuities.

Cashier of the bank to give security.

Annuities to be at 3 per cent.

Times of payment of the contribution money.

Annuities not to exceed 30,000l and to commence 25 March, 1750, and to be paid half-yearly.

Cashier to give contributors receipts,

which shall be assignable;

be redeemed according to the tenor or true meaning of the proviso or condition herein after-mentioned in that behalf, for as such cashier or cashiers do first give security to the good liking of any three or more of the commissioners of his Majesty's treasury now being, or of the high treasurer, or commissioners of the treasury for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the publick use, the money so to be advanced or contributed, and to account duly for the same; which annuities before-mentioned shall be computed at the rate of three pounds *per centum per annum* for every one hundred pounds, and proportionably for any greater sum so to be advanced or paid; and the purchase money for every such annuity, at the rate aforesaid, is hereby appointed to be paid to the said cashier or cashiers, as aforesaid, at or before the respective days or times herein after limited; that is to say, ten pounds *per centum*, part thereof, on or before the twentieth day of *April*, which shall be in the year of our Lord one thousand seven hundred and fifty; fifteen pounds *per centum*, other part thereof, on or before the twentieth day of *June* then next ensuing; twenty five pounds *per centum*, other part thereof, on or before the eighteenth day of *August* then next ensuing; twenty five pounds *per centum*, other part thereof on or before the eighteenth day of *October* then next ensuing; and the remaining twenty five pounds *per centum*, on or before the eighteenth day of *December* then next following: all which annuities so to be purchased, shall not exceed in the whole the sum of thirty thousand pounds *per annum*, and shall commence from the feast day of the annunciation of the blessed Virgin *Mary*, which shall be in the year of our Lord one thousand seven hundred and fifty, and shall be paid and payable in the manner, and at the respective feast days herein after-mentioned; that is to say, the first payment thereupon shall be made for the three quarters of a year, which will be due thereupon, computed from the feast of the annunciation of the blessed Virgin *Mary*, in the year one thousand seven hundred and fifty, to the feast of the birth of our Lord Christ then next ensuing, and the subsequent payments half-yearly, at the feasts of the nativity of *Saint John the Baptist*, and the birth of our Lord Christ, or within six days after every of the said feast days; and that the first of the said half-yearly payments shall be paid at the feast of *Saint John the Baptist*, which shall be in the year of our Lord one thousand seven hundred and fifty one, or within six days after the said feast day; nevertheless the said annuities shall be redeemable according to the true purpose and meaning of a proviso or condition herein after-mentioned in that behalf, and not otherwise: and the said cashier or cashiers, or the said governor and company for the time being, shall be authorized and required, upon the advancing and paying of any sum or sums of money, as aforesaid, forthwith to give a receipt in writing signed by himself or themselves, on each payment, to the contributor or payer thereof; which receipts shall be assignable by indorsement thereupon made, at any time before the eighteenth day of *December*, one thousand seven hundred

and no longer: and the said cashier or cashiers shall, from time to time pay into the receipt of his Majesty's exchequer all the monies which he or they shall receive of or for the said sum, not exceeding one million, as fast as he or they shall receive the same, or any part thereof, or within five days at the farthest, and to account for all the monies so to be advanced and paid to him or them in his Majesty's court of exchequer, according to the due course thereof.

and to pay the monies into the exchequer.

III. And it is hereby enacted, That in the office of the accountant general of the governor and company of the bank of England for the time being, there shall be provided and kept a book or books, in which there shall be fairly entered the names of all who shall be contributors for such annuities after the rate of three pounds *per centum per annum*, as aforesaid, and of all persons by whose hands the said contributors shall pay in any of the said sums upon this act, and also the sum so paid; to which book or books, it shall be lawful for the said respective contributors, their executors, administrators, successors, and assigns, from time to time, to have resort at all reasonable times, and to inspect the same without fee or charge; and the said accountant general for the time being, shall, on or before the twenty fifth day of *March*, which shall be in the year of our Lord one thousand seven hundred and fifty two, transmit an attested duplicate, fairly written on paper, of the said book or books, into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

Contributors names to be entered in a book, with the sums paid;

which may be inspected gratis.

Duplicate to be transmitted to the exchequer.

IV. And it is hereby enacted by the authority aforesaid, That all and every contributor and contributors upon this act, duly paying the consideration or purchase-money at the rate aforesaid, at or before the respective days or times in this act before limited in that behalf, for such annuity or annuities as aforesaid, or such as he, she, or they shall appoint, his, her, or their respective executors, administrators, successors or assigns, shall have, receive, and enjoy, and be intitled by virtue of this act, to have, receive, and enjoy the respective annuity and annuities so to be purchased out of the monies by this act appropriated or appointed for payment thereof as aforesaid, and shall have good and sure estates and interests therein for ever, subject only to the proviso or condition of redemption, in this act afterwards contained, concerning the same; and that all the said annuities to be purchased on this act, and the principal monies paid for the purchase of every of them, during the continuance thereof, shall be free from all taxes, charges, and impositions whatsoever.

Contributors paying the purchase money to be intitled to the annuities;

which shall be free of taxes.

V. Provided always, That in case any contributor or contributors for the purchase of any of the said annuities, shall after the payment of ten pounds *per centum*, in part of his, her, or their purchase money, desire that the subsequent payments, to be made by him, her, or them, at the respective times limited in that behalf, may immediately be made stock in the book or books to be kept for that purpose, in the office of the said accountant general, and that the principal money, and the annuity

Accountant general to give credit to the contributors for the principal sums paid.

nity attending the same, be immediately transferrable (except the ten pounds *per centum*, which is to remain as a deposit till payment of the whole sum by him, her, or them subscribed for, is fully completed) it shall be lawful for the said accomptant general, and he is hereby required upon such request made by any such contributor or contributors, to give credit in the said book or books, for each respective principal sum by him, her, or them subscribed and paid as aforesaid; any thing herein contained to the contrary notwithstanding.

Bank to employ a chief cashier and accomptant general, for payment of the annuities;

and the monies to be paid to them half-yearly at the exchequer, by way of imprest, &c.

Accomptant general to inspect the cashiers receipts and payments.

Annuities to be a personal estate.

VI. And for the more easy and sure payment of the said annuities to be purchased as aforesaid, according to the true meaning of this present act; it is hereby enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall from time to time, until the said annuities shall be redeemed by parliament according to this act, appoint and employ one sufficient person within their office in the city of *London*, to be their chief or first cashier or cashiers, and one other sufficient person within the same office, to be their accomptant general; and that so much of the monies of the said surplusses, excesses, or overplus monies of the fund, commonly called the *Sinking fund*, which shall or ought to be, from time to time, separated and set apart in the said receipt of exchequer, for answering the said annuities to be purchased upon this act, after the said rate of three pounds *per centum per annum*, shall by order of the commissioners of his Majesty's treasury, or any three or more of them now being, or of the high treasurer, or commissioners of the treasury of his Majesty, his heirs and successors for the time being, without any further or other warrant to be sued for, had, or obtained in that behalf, be, from time to time, half-yearly as aforesaid, issued and paid at the said receipt of exchequer, to the said first or chief cashier or cashiers of the said governor and company of the bank of *England*, and of their successors for the time being, by way of imprest, and upon account of the payment of the said annuities so purchased upon this act, at such times, and in such manner and form, as are by this act prescribed in that behalf; and that all and every cashier and cashiers, to whom the said monies shall, from time to time be issued, shall from time to time, without delay, apply and pay the same accordingly, and render his accounts thereof, according to the due course of the exchequer; any thing herein contained to the contrary notwithstanding.

VII. And it is hereby also enacted, That the said accomptant general for the time being shall, from time to time, inspect and examine all the receipts and payments of the said cashier or cashiers, and the vouchers relating thereunto, in order to prevent any fraud, negligence, or delay; and that all and every person and persons whatsoever, who shall be intitled to any of the said annuities, after the rate of three pounds *per centum per annum*, and all persons lawfully claiming under them, shall be possessed thereof, as of a personal estate, and the same shall not be descendable to the heir, and shall not be liable to any foreign attach-

attachment by the custom of *London*, or otherwise; any law, statute, or custom to the contrary notwithstanding.

VII. And be it further enacted by the authority aforesaid, That all the monies to be advanced or contributed upon this act, for or towards the said sum not exceeding one million, shall be deemed, reputed, and taken to be one capital or joint stock, on which the said annuities, after the rate of three pounds *per centum per annum*, shall be attending; and that all and every person and persons, and corporations whatsoever, in proportion to the money which he, she, or they shall be intitled to, as aforesaid, shall have, and be deemed to have a proportional interest and share in the said stock, and in the annuity attending the same, at the rate aforesaid; and that the said whole capital or joint stock, or any share or interest therein, and the proportional annuity attending the same, shall be assignable and transferrable as this act directs, and not otherwise; and that there shall constantly be kept at all seasonable times in the office of the said accomptant general for the time being, within the city of *London*, a book or books, wherein all assignments or transfers of the said whole capital or joint stock, or any part thereof, and the proportional annuity attending the same, at the rate aforesaid, shall be entered and registered; which entries shall be conceived in proper words for that purpose, and shall be signed by the parties making such assignments or transfers, or if such party be absent, by his, her, or their attorney or attorneys, thereunto lawfully authorized by writing, under his, her, or their hands and seals, to be attested by two or more credible witnesses; and that the person or persons to whom such transfer shall be made, do underwrite his, her, or their acceptance thereof; and that no other method of assigning or transferring the said stock, and the annuities attending the same, or any part thereof, or any interest therein, shall be good and available in law; and that no stamp duties whatsoever, shall be charged on the said transfers, or any of them; any other law or statute to the contrary notwithstanding.

The monies contributed to be deemed a joint stock,

which may be transferred.

Method of transferring,

without stamps.

IX. And it is hereby enacted and declared, That no person or persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain, any of the annuities at the rate aforesaid, upon this act, unless the whole, or ten pounds *per centum*, part at least of the consideration money for the same, at such rate as aforesaid, be advanced and paid to the said cashier, on or before the twentieth of *April*, one thousand seven hundred and fifty.

No annuities to be obtained, unless 10l. per cent. be paid before 20 April, 1750.

X. Provided, That in case any such contributor as aforesaid, who shall on or before the said twentieth day of *April*, one thousand seven hundred and fifty, have advanced to the said cashier or cashiers, ten pounds *per centum*, in part of his, her, or their purchase money, or his, her, or their executors, administrators, successors, or assigns, do not advance and pay to the said cashier or cashiers, fifteen pounds *per centum*, in further part of his, her, or their consideration money, so to be paid for such

Persons not paying the whole purchase money at the times limited,



to forfeit their  
first payment.

such respective annuity or annuities as aforesaid, on or before the twentieth day of *June*, then next ensuing; and twenty five pounds *per centum*, in further part thereof, on or before the eighteenth day of *August*, then next ensuing; and twenty five pounds *per centum*, in further part thereof, on or before the eighteenth day of *October*, then next ensuing; and the remaining twenty five pounds *per centum*, on or before the eighteenth day of *December*, then next following; then, and in every such case respectively, so much of the consideration money as shall have been actually paid for the first payment to the said cashier or cashiers, for such respective annuity, shall be forfeited for the benefit of the publick, and no interest, at the rate aforesaid, shall be payable for the said first payment; any thing in this act contained to the contrary notwithstanding.

The bank to  
continue a  
corporation  
till the annuities are  
redeemed.

XI. Provided always, and it is hereby enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors (notwithstanding the redemption of all or any of their own funds in pursuance of the acts for establishing the same, or any of them) shall continue a corporation, with all the powers, privileges, and advantages thereunto belonging, for the purposes in this act expressed, till all the annuities to be purchased on this act, shall be redeemed by parliament, according to the proviso herein after contained in that behalf; and that the said governor and company or any members thereof, shall not incur any disability, for or by reason of their doing any matter or thing in pursuance of this act.

No fee to be  
taken, &c.

XII. And it is hereby enacted by the authority aforesaid, That no fee or gratuity whatsoever shall or may be demanded or taken of any of his Majesty's subjects for receiving or paying the said contribution monies, or any of them, or for any tallies, or other receipts concerning the same, or for issuing the said yearly fund, or any part thereof, or for paying the said annuities, or any of them; and that no fee or gratuity shall be demanded or taken for any transfer of any sum great or small, to be made in pursuance of this act, upon pain that the officer or person offending, by taking or demanding any fee or gratuity contrary to this act, shall forfeit the sum of twenty pounds to the party grieved, to be recovered with full costs of suit, in any of his Majesty's courts of record at *Westminster*.

upon penalty  
of 20 l.

Treasury to  
defray charges,  
&c.

XIII. Provided always, and it is hereby enacted, That the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby authorized to do, to employ such persons as shall be any ways employed in the execution of this act, for their service, pains, and labour, and also to defray the incidental charges as shall necessarily attend the summing up of the said surplusses, excesses, or overplus monies, and also to appoint such allowances (out of the said surplusses, excesses, or overplus monies) for the service, pains, and labour of the cashier or cashiers of the said governor and company of the bank of *England*,

*England*, for receiving, paying, and accounting for the said annuities made payable by this act; and also for the service, pains, and trouble of the accomptant general of the said governor and company for performing the duty and trust incumbent on him by this act, as they shall think just and reasonable: all which allowances hereby impowered to be made as aforesaid, in respect of the service, pains, and labour of any officer or officers of the said governor and company of the bank of *England*, shall be for the use and benefit of the said governor and company, and at their disposal only; any thing herein contained to the contrary notwithstanding.

XIV. Provided also, and it is hereby enacted by the authority aforesaid, That at any time, upon one year's notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by authority of parliament, at any of the half-yearly feast days for payment of the said annuities, and upon repayment by parliament of the principal sum of one million, by payments not being less than five hundred thousand pounds at a time, for which the said annuities shall be payable to such respective persons or corporations as shall be intitled to the same annuities; and also upon full payment of all arrearages of the same annuities; then, and not till then, the said annuities shall cease and determine, and be understood to be redeemed; and from and after such redemption, the monies arising by the said surplusses, excesses, or overplus monies of the fund, commonly called the *Sinking fund*, shall not be issued or applied to any use or purpose, other than such uses and purposes as have been directed by any former act or acts of parliament in that behalf; any thing in this or any former act or acts of parliament to the contrary notwithstanding: and that any vote or resolution of the house of commons, signified by the speaker in writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London*, as aforesaid, shall be deemed and adjudged to be sufficient notice within the words and meaning of this act.

## CAP. XVII. ;

An act for repairing the roads leading from *Dunglas Bridge* to the town of *Haddingtoun*; and from thence to *Ravensthaughburn* in the county of *Haddingtoun*.

*Certain tolls granted for 21 years, &c.*

## CAP. XVIII.

for enlightening the open places, streets, lanes, passages, and for the better regulating the night-watch in the parish of *Saint John Southwark* in the county of *Surrey*.

WHEREAS the parish of *Saint John* in the borough of *Southwark* in the county of *Surrey*, is situate between *London Bridge* and his Majesty's dock yard and victualling office at *Deptford*, and also the *East India warehouse* at *Rotherhithe*: and where-

as

*as by virtue of an act made and passed in the last session of parliament, (intituled, An act for opening and making a new road from the east end of Newstreet in the parish of Saint John Southwark, to and through the several places therein mentioned; and for keeping the said road in repair for the future) a new road is now opened through the parishes of Saint Mary Magdalen Bermondsey, Saint Mary Rotherhithe, and Saint Nicholas and Saint Paul Deptford, for the better convenience of his Majesty's subjects in passing and repassing to and from London Bridge, and the places before-mentioned: and whereas the access to such new road, through the said parish of Saint John, is now very dangerous in the night-time, for want of proper lights, and a well regulated watch: and whereas a proper provision for that purpose would not only be a great security to the persons and properties of all his Majesty's subjects, passing and repassing to and from Deptford Dock and the other places aforesaid, in the night-time; but also would be a great safeguard against fires that might destroy great quantities of naval stores always repositied in warehouses on the banks of the river Thames in those parts; and would be of the utmost use in case of accidents by fire amongst the shipping in the river Thames; in both which cases great numbers of the most experienced artificers and tradesmen, residing in those parts, could be more capable of affording their assistance when required, upon emergencies in the night-time; but forasmuch as a proper provision cannot be made for setting up proper lights, and establishing a well regulated watch, for the good purposes aforesaid, by the laws now in being; may it please your Majesty, at the humble request of several merchants and traders of the city of London, and masters and owners of ships, and also of the minister, churchwardens, and other principal inhabitants of the said parish of Saint John Southwark, that it may be enacted, &c.*

The vestry to appoint the number and sort of lamps; and a number of watchmen, and a bedel, and their several duties and wages, and make regulations for enlightening the streets, and elect a committee. The constables, bedels, and watchmens times of duty; and power of apprehending night-walkers, and other suspected persons. Vestry impowered to make a pound rate on the inhabitants; to be confirmed by two justices, and collected half-yearly. Collectors refusing to act, to forfeit 10l. and others to be appointed, &c. The parish church, and other publick buildings, and persons, to be rated. Assessments not to exceed 10 d. in the pound. Persons aggrieved may appeal to the quarter sessions. Persons paying to these rates, &c. not to gain any settlement thereby. Vestry may borrow money upon the credit of the rates; not exceeding 200l. Forty shillings penalty of breaking or extinguishing lamps, &c. The lamps vested in the churchwardens, &c. Two justices to hear and determine differences. Justices may mitigate the penalties to one moiety.

## CAP. XIX.

*An act for making more effectual feveral acts of parliament paffed for cleansing and making navigable the channel from the Hithe at Colcheſter to Wivenhoe in the county of Eſſex; and for repairing and cleansing the ſtreets and lanes of the town of Colcheſter.*

**W**HEREAS by an act of parliament paſſed in the ninth and tenth years of the reign of his late majeſty King William the Third, intituled, An act for cleaning and making navigable the channel from the Hithe at Colcheſter to Wivenhoe, ſeveral duties were granted and made payable, for goods, wares, and merchandizes, that ſhould be brought in and to the ſaid channel, and ſhould be landed at, or ſhipped from Wivenhoe or the New Hithe in Colcheſter aforeſaid, or between either of the ſaid places, for the term of twenty one years, for the uſes and purpoſes in the ſaid act mentioned; and ſeveral powers were thereby given unto and veſted in the mayor, aldermen, aſſiſtants, and common council of the town and borough of Colcheſter only, for appointing collectors and general receivers of the ſaid duties, and for recovering and getting in the ſame, in ſuch manner as in the ſaid act is particularly mentioned; which ſaid act, and all the powers and authorities thereby given, and one moiety or half-part of the duties thereby granted and made payable (except upon corn and grain) were, by another act paſſed in the fifth year of the reign of his late majeſty King George the Firſt, continued in force until the firſt day of May, one thouſand ſeven hundred and forty; and further power was thereby given to the ſaid mayor and commonalty of Colcheſter only, for recovering the ſame duties: and whereas by another act paſſed in the thirteenth year of the reign of his preſent Majeſty, intituled, An act for further enlarging the term granted by an act paſſed the ninth and tenth years of the reign of King William the Third, For cleaning and making navigable the channel from the Hithe at Colcheſter to Wivenhoe; and for making the ſaid act, and another act of the fifth year of the reign of his late majeſty King George the Firſt, For enlarging the term granted by the ſaid act of the ninth and tenth years of the reign of King William the Third, more effectual; it is enacted, That the ſaid two former acts, and all and every the powers and authorities thereby reſpectively given, together with ſuch additional powers, as are in the ſaid act of the thirteenth year of his preſent Majeſty mentioned, ſhould be continued, and be in force from the firſt day of May, one thouſand ſeven hundred and forty, for ever; and that the duty on ſea coal ſhould, from and after the ſaid firſt day of May, one thouſand ſeven hundred and forty, be three pence a chaldron, and no more; which duty was, by the ſaid act of the thirteenth of his preſent Majeſty, continued and made payable, from the ſaid firſt day of May, one thouſand ſeven hundred and forty, for and during the term of forty years; and by the ſaid act it was declared, That no other duty (except the arrears due under the ſaid former acts, or either of them) ſhould be raiſed upon any other goods, wares, merchandizes, or things whatſoever;

whatsoever; which said duty of three pence for every chaldron of coals, granted as aforesaid, and the duties which were or should be in arrear under the said former acts, should and might be raised, levied, and recovered, in such manner as prescribed by the said former acts; and the said mayor and commonalty of Colchester only were, by the last-mentioned act vested with further power for suing for, and recovering the said duty thereby granted, and the arrears under the said former acts: and whereas a very large lock, which was several years since erected in the said channel, and has been found to be of very great use and service to the navigation, is now in a decaying condition, and much out of repair; and the said channel, in some part thereof, is become much choaked up, so that the navigation thereof is greatly obstructed; which has been occasioned principally by there being great arrears of the duties granted by the said recited acts for many years due, and still unpaid; and also a large sum of money remaining in the hands of the representatives of the late receiver general of the said duties, which ought to have been recovered, and applied for amending and repairing the said lock, and cleansing and supporting the navigation of the said channel: but, as the power and authority of the mayor and commonalty of Colchester hath ceased for many years last past (in whose names only the said duties were to be recovered, and legal discharges given for the same, by and under the authorities of the said several acts) the same duties, and the arrear thereof, cannot now be recovered and collected, for want of sufficient power to give legal discharges for the same; and there being no other fund for raising money to amend and keep in repair the said lock, and cleanse the said channel, and preserve the navigation thereof, the same cannot now be done, without some further provision be made for that purpose by the aid and authority of parliament: may it therefore please your Majesty, that it may be enacted, &c.

The several parcels of land, locks, and channels, and the several powers, &c. which were granted to the corporation of Colchester, &c. are vested in the justices of the east division of the county of Essex, and the commissioners named herein, for the term of 30 years. Additional duty of 3d. a chaldron on coals to be paid for 30 years. Commissioners may borrow money, and assign over the duties as a security. Six days notice to be given of the time of meeting for borrowing money. Commissioners may place out in the funds, any money that shall be in the receiver general's hands, &c. not immediately necessary, &c. and may appoint and remove collectors, and other officers. The prescriptive rights of the borough of Colchester reserved. Landlords, &c. to pave the streets before their houses. Surveyors of the highways to view the streets, and see that the same are paved, and to make returns of such landlords, whose pavements shall be out of repair; and to give notice for repairing thereof, and may cause the same to be amended, after the notice so given, and the rate for the same may deduct the same out of the rate for the pavement of the streets. Persons who neglect to repair.

#### CAP. 2.

*An act for encouraging the growth and culture of silk in his Majesty's colonies or plantations in America.*

**W**HEREAS it will greatly tend to the increase and improvement of the silk manufactures of this kingdom, to encourage the growth and culture of silk in his Majesty's dominions in America;

rica; may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of *June*, one thousand seven hundred and fifty, it shall and may be lawful to import any raw silks of the growth and culture of any of his Majesty's colonies or plantations in *America*, directly from thence into the port of *London*, without paying any subsidy, custom, imposition, or other duty whatsoever for the same; so as a due entry be first made thereof in the custom-house, at the time of importation, in the same manner and form (expressing the package, marks, and numbers, together with the quantities and qualities of the respective goods) as was used and practised before the making of this act; and so as the same be landed in the presence of, and examined by the proper officer or officers of the customs appointed for that purpose; and so as the same be imported in ships or vessels, that may lawfully trade to his Majesty's plantations, manned as by law is required; and on failure of the said conditions or directions herein last-mentioned, such silks shall be liable to the payment of the respective duties, as if this act had never been made.

Raw silk of the growth of the British colonies in America, to be imported free, so as entry be made,

and the same imported in vessels that may lawfully trade.

II. Provided always, and be it further enacted by the authority aforesaid, That in order to intitle the importer and importers of raw silk, to the exemption intended by this act, every merchant or other person or persons whatsoever, who shall, after the twenty fourth day of *June*, one thousand seven hundred and fifty, load any raw silk on board any ship or vessel, in any of the *British* colonies or plantations in *America*, shall, before the clearing out of the said ship or vessel from thence, make proof, on oath, before the collector and comptroller of the customs, and naval officer, at the port or place where such raw silk shall be put on board, or any two of them, that the raw silk, which he, she, or they hath or have shipped on board the said ship or vessel (expressing the quantity thereof) is *bona fide* of the growth and culture of some or one of the *British* colonies or plantations in *America*, expressing the parish or place in such plantation where the same was cultivated and produced, and by whom, producing such person's oath thereto made before the governor of such island or province, or before the next justice of the peace (which oath the said governor or justice of the peace, collector and comptroller of the customs, and naval officer, or any two of them, are hereby required and empowered to administer without fee or reward) and the master, commander, or other person, taking charge of the ship or vessel, on board which such raw silk shall be loaded, shall also bring with him a certificate or certificates from such collector and comptroller of the customs, and naval officer, or any two of them, as aforesaid, under their hands and seals of office (which certificate or certificates, such collector and comptroller of the customs,

Oath to be made before clearing that the silk is of the growth of the British plantations, &c.

Master to bring a certificate from two officers of the customs,

toms,

which he is to deliver to the chief officer of the customs on his arrival at London,

and to make oath that the goods in the certificate are the same taken on board in America;

in default thereof, the duty is to be paid for such silk.

Penalty on persons entering foreign raw silk as of the growth of the British colonies,

or of mixing other silk therewith, to evade payment of the duties.

tems, and naval officer, are hereby required and directed to grant without fee or reward) expressing the marks, number, tale, and weight of the raw silk, in each bale, parcel, or other package whatsoever, so shipped or loaded on board such ship or vessel, with the names, place or places of abode of the exporter or exporters thereof, from the said *British* colonies or plantations in *America*; and the name or names, place or places of abode of such other person or persons, who shall have sworn the goods therein mentioned to have been of the growth and culture of the said *British* colonies or plantations in *America*; and the name or names of the person or persons to whom the same are consigned in the port of *London*; which certificate or certificates, the said master, commander, or other person taking charge of such ship or vessel, shall, on his arrival in the said port of *London*, deliver to the collector, comptroller, or other chief officer of his Majesty's customs at the said port, at or before the entry of the said raw silk; and at the same time shall make oath before any one of them the said collector, comptroller, or chief officer of his Majesty's customs (who are hereby required and empowered to administer the same without fee or reward) that the said bales and parcels, and goods contained in such certificate, are the same bales and parcels, and goods, as were taken on board in the said *British* colonies or plantations in *America*; and if any raw silk of the growth and culture of the *British* colonies or plantations in *America*, shall, after the said twenty fourth day of *June*, one thousand seven hundred and fifty, be imported, as herein before mentioned, without such certificate signed and delivered as herein before required, and oath made as before directed, by the master, commander, or other person taking charge of the ship or vessel in which the same is imported; all such raw silks shall be liable to the payment of the respective duties, as if this act had never been made; any thing herein before contained to the contrary notwithstanding.

III. And be it further enacted by the authority aforesaid, That if any person or persons shall, from and after the said twenty fourth day of *June*, one thousand seven hundred and fifty, make, or cause to be made, an entry or entries of any foreign raw silk, under the name or description of raw silk of the growth or culture of any of the *British* colonies or plantations in *America*, or shall mix, or cause to be mixed, any foreign raw silk with raw silk of the growth or culture of the *British* colonies or plantations in *America*, with intent to evade the payment of the duties payable on foreign raw silk, every person or persons so making, or causing to be made, such entry or entries, or mixing, or causing such mixture or mixtures to be made, shall forfeit and lose the sum of fifty pounds for every such offence; and all such foreign raw silk; and in case of any mixture, the quantity so mixed, both of foreign and *British* plantation culture or growth, or the value thereof, together with the bales or other packages containing the same, shall be forfeited, and shall and may be seized and prosecuted, or the value thereof be sued for by

by any officer or officers of his Maſteſty's cuſtoms; one moiety of which penalties and forfeitures ſhall be to the uſe of his Maſteſty, his heirs and ſucceſſors, and the other moiety to him or them that ſhall ſeize, proſecute, or ſue for the ſame, in any of his Maſteſty's courts of record at *Weſtmiſter*.

IV. Provided always, That if any doubt or diſpute ſhall ariſe, whether the ſaid raw ſilk, or any part thereof, ſo to be imported as aforeſaid, is of the growth or culture of the *Britiſh* colonies or plantations in *America*, or of foreign growth or culture, the *Onus Probandi*, ſhall lie on the owner or claimer thereof, and not on the informer or proſecutor; any law, cuſtom, or uſage to the contrary notwithstanding.

V. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, the defendant or defendants, in ſuch action or ſuit, may plead the general iſſue, and give this act, and the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance and by authority of this act; and if it ſhall appear ſo to have been done, then the jury ſhall find for the defendant or defendants; and if the plaintiff ſhall be nonſuited, or diſcontinue his action, after the defendant or defendants ſhall have appeared, or if judgement ſhall be given upon any verdict or demurrer againſt the plaintiff, the defendant or defendants ſhall and may recover treble coſts, and have the like remedy for the ſame, as defendants have in other caſes by law.

## CAP. XXI.

*An act for granting to his Maſteſty the ſum of nine hundred thouſand pounds out of the ſinking fund, for the ſervice of the year one thouſand ſeven hundred and fifty; and for applying certain ſurplus monies, remaining in the exchequer, as part of the ſupply of the ſaid year; and for the application of certain ſavings in the hands of the paymaſter general; and for obviating a doubt in an act of the fifth year of King George the firſt, in reſpect to the payment of certain annuities thereby granted for the improvement of fiſheries and manufactures in Scotland; and for the further appropriating the ſupplies granted this ſeſſion of parliament; and for giving further time for the payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices; and for transferring the bounties now payable upon the exportation of Britiſh ſail cloth, to the cuſtoms; and for enforcing the laws againſt the clandestine diſportation of ſoap, candles, and ſtarch, into this kingdom.*



*Most gracious Sovereign,*

**W**E your Majesty's most dutiful and loyal subjects, the Commons of *Great Britain* in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in this session of parliament, for the service of the year one thousand seven hundred and fifty, in the easiest manner we are able, for the benefit of your Majesty's subjects, and also to use such ways and means therein, as that your Majesty may have the better and more speedy effect of the said supplies, have resolved to give and grant unto your Majesty the sum of nine hundred thousand pounds, out of the surpluses, excesses, and overplus monies, commonly called *The Sinking Fund*: and to that end and purpose do most humbly beseech your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That by or out of such monies as now are, or shall from time to time be and remain in the receipt of the exchequer, of the said surpluses, excesses, or overplus monies, commonly called *The Sinking Fund* (after paying or reserving sufficient to pay all such sum and sums of money as have been directed by any former act or acts of parliament to be paid out of the same) there shall and may be issued, and applied, a sum not exceeding the said sum of nine hundred thousand pounds, for and towards the supply granted to his Majesty for the service of the said year one thousand seven hundred and fifty; and the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and empowered to issue and apply the same accordingly.

900,000*l.*  
granted out  
of the sinking  
fund, towards  
the supply.

17,553*l.* 10*s.*  
10*d.* surplus  
of the addi-  
tional duties  
on wines im-  
ported,

29,856*l.* 1*s.*  
11*d.* halfpen-  
ny, surplus of  
the duties up-  
on houses, and  
coaches, &c.

71,116*l.* 17*s.*  
6*d.* surplus of  
the subsidy of  
poundage on  
goods im-  
ported,

II. And be it further enacted by the authority aforesaid, That the sum of seventeen thousand five hundred and fifty three pounds, ten shillings, and ten pence, now remaining in the receipt of his Majesty's exchequer at *Christmas* last, one thousand seven hundred and forty nine, being the surplus of the additional duties upon all wines imported, over and above sufficient to satisfy the annuities charged thereupon; and the sum of twenty nine thousand eight hundred and fifty six pounds, one shilling, and eleven pence halfpenny, being the surplus monies remaining in the receipt of his Majesty's exchequer at *Michaelmas* last, one thousand seven hundred and forty nine, of the rates and duties upon houses, windows, and lights, and of the duties on coaches and other carriages, after satisfying all payments due thereupon; and also the sum of seventy one thousand one hundred and sixteen pounds, seventeen shillings, and six pence, being the surplus monies remaining in the receipt of his Majesty's exchequer at *Michaelmas* last, one thousand seven hundred and forty nine, of the subsidy of poundage on goods

and merchandizes imported, after ſatisfying all payments due thereupon, ſhall and may be iſſued and applied at the ſaid receipt, as part of the ſupply granted to his Maſteſty for the ſervice of the year one thouſand ſeven hundred and fifty; any thing in this or any former act or acts of parliament to the contrary thereof in any wiſe notwithstanding.

III. And whereas the ſum of forty ſix thouſand eight hundred and forty nine pounds, eleven ſhillings, and ten pence, of monies or ſavings in the hands of the paymaſter general of his Maſteſty's land forces, ariſing from the pay of his Maſteſty's land forces; as alſo the ſum of ſixty five thouſand ſix hundred and ſeventy four pounds, eight ſhillings, and ſix pence, of monies or ſavings in the hands of the ſaid paymaſter, on the head of forage and proviſions voted for the auxiliary troops of Ruſſia, and on the ſubſidies to the Landgrave of Heſſe Caſſel, elector of Bavaria, and duke of Wolfenbuttle, have been granted to his Maſteſty in this ſeſſion of parliament, towards defraying the extraordinary expences of his Maſteſty's land forces, and other ſervices, incurred in the year one thouſand ſeven hundred and forty nine, and not provided for by parliament: which two ſums, together with the further ſum of ſixty five thouſand four hundred and eighty one pounds, four ſhillings, and ſeven pence, granted in this ſeſſion of parliament out of the ſupplies for the year one thouſand ſeven hundred and fifty, amounting in the whole to the ſum of one hundred ſeventy eight thouſand and five pounds, four ſhillings, and eleven pence, are to be applied for defraying the ſaid extraordinary expences of his Maſteſty's land forces, and other ſervices incurred in the year one thouſand ſeven hundred and forty nine, as aforeſaid; be it therefore enacted by the authority aforeſaid, That the ſaid reſpective ſums of forty ſix thouſand eight hundred and forty nine pounds, eleven ſhillings, and ten pence, and ſixty five thouſand ſix hundred and ſeventy four pounds, eight ſhillings, and ſix pence, remaining in the hands of the ſaid paymaſter general of his Maſteſty's land forces, of the monies or ſavings herein before ſpecified, ſhall and may be iſſued and applied, by any warrant or warrants of his Maſteſty, under his royal ſign manual in that behalf, towards defraying the ſaid extraordinary expences of his Maſteſty's land forces, and other ſervices, incurred in the ſaid year one thouſand ſeven hundred and forty nine, and not provided for by parliament; any thing in this or any former act to the contrary thereof in any wiſe notwithstanding.

IV. And whereas the ſum of fifteen thouſand pounds of monies or ſavings remaining in the hands of the paymaſter general of his Maſteſty's land forces, ariſing from the contingencies of the army, have been granted to his Maſteſty in this ſeſſion of parliament, towards defraying the charge of out penſioners of Chelſea Hoſpital, for the year one thouſand ſeven hundred and fifty; which ſum, together with the further ſum of forty nine thouſand eight hundred and forty eight pounds, ſeven ſhillings, and ſix pence, granted in this ſeſſion of parliament out of the ſupplies for the ſaid year one thouſand ſeven hundred and fifty, amounting in the whole to the ſum of ſixty four thouſand eight hundred and forty eight pounds, ſeven ſhillings, and ſix pence,

to be applied for the ſervice of the year 1750.

46,849 l. 11s. 10d. ſavings from the pay of the land forces,

65,674 l. 8s. 6d. ſavings on forage, &c. for the troops of Ruſſia, and the ſubſidies to the Landgrave of Heſſe Caſſel, elector of Bavaria, and duke of Wolfenbuttle, 65,481 l. 4s. 7d. granted for the ſervice of the year 1750.

15,000 l. ſavings from the contingencies of the army,

49,848 l. 7s. 6d. of the ſupplies for the year 1750.

to be applied  
to the out-  
pensioners of  
Chelſea Hoſ-  
pital.

5 Geo. I. C. 20.

The yearly  
funds of  
10,000l and  
2,000l. to be  
paid out of the  
revenue of  
Scotland.

Proviſo.

*pence, are to be applied for the defraying the charge of the ſaid out-pensioners of Chelſea Hoſpital for the ſaid year one thouſand ſeven hundred and fifty; be it therefore enacted by the authority aforeſaid, That the ſaid reſpective ſums of fifteen thouſand pounds, and forty nine thouſand eight hundred and forty eight pounds, ſeven ſhillings, and ſix pence, remaining in the hands of the ſaid paymaſter general of his Maſteſty's land forces, of the monies or ſavings herein before ſpecified, ſhall and may be iſſued and applied, by any warrant or warrants of his Maſteſty under his royal ſign manual in that behalf, towards defraying the charge of out-pensioners of Chelſea Hoſpital, for the year one thouſand ſeven hundred and fifty; any thing in this or any former act or acts of parliament to the contrary notwithstanding.*

*V. And whereas by an act paſſed in the fifth year of his late Maſteſty King George the Firſt, intituled, An act for ſettling certain yearly funds, payable out of the revenue of Scotland, to ſatiſfy publick debts in Scotland, and other uſes mentioned in the treaty of union, and to diſcharge the equivalents claimed on behalf of Scotland, in the terms of the ſame treaty; and for obviating all future diſputes, charges, and expences concerning thoſe equivalents; is was enacted, That the reſpective yearly funds of ten thouſand pounds, and two thouſand pounds, made payable thereby on account of the equivalent, and for the encouragement of ſiſheries and manufactures, ſhould, during the continuance thereof reſpectively, be charged and chargeable upon, and be payable and paid out of, the monies ariſen and to ariſe, from time to time, of or for any ſee cuſtoms, duties, exciſes, or revenues that are or ſhall be under the management of the commiſſioners of the cuſtoms, and commiſſioners of the exciſe in Scotland, or either of them, or of any commiſſioners, farmers, or managers of theſe revenues, or any of them for the time being: and whereas ſome doubts have ariſen, whether by the above recited act, the above reſpective yearly funds of ten thouſand pounds, and two thouſand pounds, can or may be charged upon, and paid out of monies ariſen or to ariſe from any cuſtoms, duties, exciſes, or revenues, granted or impoſed upon that part of Great Britain called Scotland, ſince the making of the ſaid act: now, for preventing the ſame for the future, be it declared and enacted by the authority aforeſaid, That the ſaid yearly funds of ten thouſand pounds, and two thouſand pounds, ſhall, during the continuance thereof reſpectively, yearly, and every year, be paid and payable out of all and every the cuſtoms, duties, exciſes, and revenues, granted or impoſed upon that part of Great Britain called Scotland, that are under the management of the commiſſioners of the cuſtoms, and commiſſioners of the exciſe in Scotland, or either of them, or of any commiſſioners, farmers, or managers of theſe revenues, or any of them for the time being, ſince the making of the ſaid act, as well as out of the cuſtoms, duties, exciſes, and revenues, that ſubſiſted under the management aforeſaid, at the time of making the ſaid act; ſubject nevertheless to the ſeveral powers, clauses, and proviſions in the ſaid recited act mentioned and provided.*

VI And

VI. And it is hereby enacted by the authority aforesaid, That in case the said commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think it adviseable to raise the said sum of nine hundred thousand pounds, or any part thereof, by loans or exchequer bills, in manner herein after mentioned, that it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to advance or lend to his Majesty, at the receipt of his Majesty's exchequer, any sum or sums of money not exceeding the said sum of nine hundred thousand pounds, upon the credit of the said surplusses, excesses, or overplus monies, commonly called *The Sinking Fund*; and to have and receive for the forbearance of the money lent, interest after a rate not exceeding three pounds *per centum per annum*, so as such loans be allowed to be made by the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, who are hereby authorized to issue their warrants for that purpose as fast as such loans shall be wanted for the publick service; and moreover that no money to be lent upon the security of this act shall be rated or assessed to any tax or assessment whatsoever.

VII. And be it further enacted, That all and every person and persons who shall lend any money upon the credit of this act as aforesaid, and pay the same into the receipt of the exchequer, shall immediately have a tally of loan struck for the same, and an order for his, her, or their repayment, bearing the same date with his, her, or their tally, in or upon which order shall be also contained a warrant for payment of interest for the forbearance thereof, not exceeding the said rate of three pounds *per centum per annum*, and to be paid every three months, until the repayment of the principal; and all such orders for repayment of money so to be lent shall be registred in course according to the dates respectively; and that all and every person and persons shall be paid in course, according as their orders shall stand registred in the said register books, so as the person or persons, natives or foreigners, his, her, or their executors, administrators, or assigns, who shall have his, her, or their order or orders first entered in the said books of register, shall be taken and accounted to be the first person or persons to be paid out of the said surplusses, excesses, or overplus monies; and he, she, or they, who shall have his, her, or their order or orders next entered, shall be taken and accounted to be the second person to be paid, and so successively and in course; and that the monies to come in, of, or for the said surplusses, excesses, or overplus monies, commonly called *The Sinking Fund*, as aforesaid, shall be in the same order liable to the satisfaction of the said respective persons, and body or bodies politick or corporate, their executors, administrators, successors, or assigns respectively, without any undue preference of one before another,

No fee for  
registering  
&c.

Penalty.

Penalties how  
to be recover-  
ed.

No undue pre-  
ference, where  
tallies are  
dated the  
same day,  
&c.

Nor if subse-  
quent orders  
be paid before  
such as were  
not demand-  
ed.

and not otherwise, and shall not be diverted or divertible to any other use, intent, or purpose whatsoever (other than such uses and purposes as are appointed by any other act or acts of parliament in that behalf as aforesaid;) and that no fee, reward, or gratuity directly or indirectly shall be demanded or taken of any of his Majesty's subjects for providing or making of any such books or registers, or any entries, views, or searches in or for payment of money lent, or the interest thereof as aforesaid, by any of his Majesty's officer or officers, their clerks, or deputies, on pain of payment of treble damages to the party grieved by the party offending, with full costs of suit; or if the officer himself take or demand any such fee or reward, then to lose his place also; and if any undue preference of one before another shall be made either in point of registry or payment, contrary to the true meaning of this act, by any such officer or officers, then the party offending shall be liable by action of debt, or on the case, to pay the value of the debt with full costs of suit to the party grieved, and shall be forejudged of his place or office; and if such preference be unduly made by any his deputy or clerk, without direction or privity of his master, then such deputy or clerk only shall be liable to such action, debt, damages, and costs, and shall be for ever after incapable of his office or place; and in case the auditor of the receipt shall not direct the said orders of loan, or the clerk of the pells record, or the teller make payment upon such orders, according to each person's due place and order as before directed, then he or they shall be adjudged to forfeit, and the respective deputies and clerks therein offending, to be liable to such action, debt, damages, and costs, in such manner as aforesaid; all which said penalties, forfeitures, damages, and costs, to be incurred by any the officers of the exchequer, or any their deputies or clerks, shall and may be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Windsor*; wherein no esoin, protection, privilege, wager of law, injunction, or order of restraint shall be in any wise granted or allowed.

VIII. Provided always, and it is declared, That if it shall happen that several tallies of loan or orders for payment as aforesaid, bear date, or be brought the same day to the auditor of the receipt to be registred, then, it shall be interpreted no undue preference which of those be entered first, so as he enters them all the same day.

IX. Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the tellers do pay subsequent orders to persons that come and demand their monies, and bring their orders, before other persons that did not come to take their monies, and bring their orders in course, so as there be so much money reserved as will satisfy precedent orders, which shall not be otherwise disposed of, but kept for them; interest upon loan being to cease from the time the money is so reserved and kept in bank for them.

X. And

X. And be it further enacted, That all and every person and persons to whom any money shall be due for loans to be registered by virtue of this act, after order entered in the book of registry as aforesaid, his, her, or their executors, administrators, or assigns, by proper words of assignment to be indorsed and written upon his, her, or their order, may assign and transfer his, her, or their right, title, interest, and benefit of such order, or any part thereof to any other; which being notified in the office of the auditor of the receipt aforesaid, and an entry or memorial thereof also made in the book of registry aforesaid for orders (which the officers shall upon request without fee or charge accordingly make) shall intitle such assignee, his, her, or their executors, administrators, successors and assigns, to the benefit thereof, and payment thereon, and such assignee may in like manner assign again, and so *toties quoties*; and afterwards it shall not be in the power of such person or persons who have or hath made such assignment, to make void, release, or discharge the same, or any the monies thereby due, or any part thereof.

Orders assign-  
able.  
No fee for  
entry.

The assign-  
ment not to be  
voided.

XI. And to the end there may be no want or failure of a certain sum not to exceed in the whole the said sum of nine hundred thousand pounds, to be raised either by such loans as aforesaid, or by issuing exchequer bills as is herein after mentioned, or by both or either of those ways or means for the publick service; be it further enacted by the authority aforesaid, That in case the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall judge it more adviseable to raise the said sum of nine hundred thousand pounds, or any part thereof, by exchequer bills, instead of such loans as aforesaid, that then they respectively are hereby authorized and impowered at any time or times to prepare and make, or cause to be prepared and made at the exchequer, any number of new exchequer bills, for any sum or sums of money not exceeding in the whole the said sum of nine hundred thousand pounds, together with such loans as aforesaid, in the same or like manner, form, or order, and according to the same or like rules and directions, as in and by a certain act of parliament (*For granting an aid to his Majesty, by a land tax, for the service of the year one thousand seven hundred and fifty*) are enacted and prescribed concerning the exchequer bills to be made in pursuance of the said act.

Commission-  
ers of the  
treasury may  
make new ex-  
chequer bills  
for the said  
sum of  
900,000 l.

XII. And be it further enacted by the authority aforesaid, That all and every the clauses, provisos, powers, privileges, advantages, penalties, forfeitures, and disabilities, contained in the said last-mentioned act relating to the loans or exchequer bills authorized to be made by the same act (except such clauses as do charge the same on the aids or assessments, granted by the same act) shall be applied and extended to the exchequer bills to be made in pursuance of this act, as fully and effectually to all intents and purposes as if the said exchequer bills had been originally authorized by the said last mentioned act, or as if the

Subject to the  
regulations  
contained in  
the land tax,  
&c.

faid feveral claufes or provifoes had been particularly repeated or re enacted in the body of this prefent act.

Exchequer  
bills &c. to  
be repaid out  
of the finking  
fund,

XIII. And be it enacted by the authority aforefaid, That all the exchequer bills as fhall be made in purfuance of this act, and the intereft, premium, rate, and charges incident to, or attending the fame, fhall be and are hereby charged and chargeable upon, and fhall be repaid and borne by and out of the growing produce of the faid furpluffes, exceffes, and overplus monies, commonly called *The Sinking Fund* (except fuch monies of the faid finking fund as are appropriated to any particular ufe or ufes by any former or other act or acts of parliament in that behalf) and fuch monies of the faid finking fund fhall and may be iffued and applied, as faft as the fame can be regularly ftated and afcertained, for and towards the paying off, cancelling, and difcharging fuch exchequer bills, intereft, premium, rate, or charges, until the whole of them fhall be paid off, cancelled, and difcharged, or money fufficient for that purpofe be kept and referved in the exchequer, to be payable on demand to the refpective proprietors thereof.

Land tax, &c.

XIV. Provided always, and be it enacted by the authority aforefaid, That all the monies coming into the exchequer, either by loans or exchequer bills, upon one act of this feflion of parliament (intituled, *An act for granting an aid to his Majefty by a land tax, to be raifed in Great Britain, for the fervice of the year one thoufand feven hundred and fifty*) and fo much money, if any fuch be, of the tax thereby granted, as fhall arife or remain, after all the loans or exchequer bills made or to be made on the fame act, and all the intereft, *Præmium*, rate and charges thereupon, and the charges thereby allowable for raifing the faid land tax, fhall be fatisfied, or money fufficient fhall be referved in the exchequer to difcharge the fame; and alfo all the monies coming into the exchequer, either by loans or exchequer bills, upon one other act of this feflion of parliament (intituled, *An act for continuing and granting to his Majefty certain duties upon malt, man, cyder, and perry, for the fervice of the year one thoufand feven hundred and fifty*) and fo much money, if any fuch be, of the duties thereby granted, as fhall arife or remain after all the loans or exchequer bills made, or to be made on the fame act, and all the intereft, *Præmium*, rate, and charges thereon, and the charges thereby allowable for raifing the faid duties, fhall be fatisfied, or monies fufficient fhall be referved in the exchequer to difcharge the fame; and alfo all

Malt tax,

and annuities,

the monies coming into the exchequer, for contributions for annuities after the rate of three pounds *per centum per annum*, granted by one other act of this prefent feflion of parliament, intituled, *An act for granting to his Majefty the fum of one million, to be raifed by annuities at three pounds per centum per annum, and charged on the finking fund, transferrable at the bank of England*; and the fum of feventeen thoufand five hundred and fifty three pounds, ten fhillings, and ten pence, remaining in the exchequer at *Chriftmas* laft, being the furplus of the additional duties

duties upon all wines imported, over and above sufficient to satisfy the annuities charged thereupon; and the sum of twenty nine thousand eight hundred and fifty six pounds, one shilling, and eleven pence halfpenny, being the surplus monies remaining in the exchequer at *Michaelmas* last, one thousand seven hundred and forty nine, of the rates and duties upon houses, windows, and lights, and of the duties on coaches and other carriages, after satisfying all payments due thereupon; and the sum of seventy one thousand one hundred and sixteen pounds, seventeen shillings and six pence, being the surplus monies remaining in the exchequer at *Michaelmas* last, one thousand seven hundred and forty nine, of the subsidy of poundage on goods and merchandizes imported, after satisfying all payments due thereupon; and also the sum of nine hundred thousand pounds, by this act granted, shall be further appropriated, and are hereby appropriated for and towards the several uses and purposes herein after expressed (that is to say) it is hereby enacted and declared by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding one million eleven thousand five hundred and twenty one pounds, five shillings, and ten pence, for or towards the naval services herein after more particularly expressed; that is to say, for or towards defraying the charges of the ordinary of his Majesty's navy, and for half-pay to sea officers; and for or towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed and to be performed, and for or towards sea services in the office of ordnance, performed and to be performed; and for or towards the buildings, rebuildings, and repairs of his Majesty's ships for the year one thousand seven hundred and fifty.

out of the aids  
to be paid,

1,111,521l. 5s.  
10d. towards  
naval services.

XV. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding ten thousand pounds, upon account, towards the support of the royal hospital at *Greenwich*, for the better maintenance of the seamen of the said hospital, worn out and become decrepit in the service of their country.

10,000l. to  
*Greenwich*  
hospital.

XVI. And it is hereby also enacted, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding one hundred forty four thousand seven hundred and eight pounds, sixteen shillings and four pence, for or towards defraying the charge of the office of ordnance for the land service, for the service of the year one thousand seven hundred and fifty, performed and to be performed, and for defraying the extraordinary expence of the office of ordnance for land service, not provided for by parliament.

144,708l. 16s.  
4d. towards  
the office of  
Ordnance.

XVII. And it is hereby likewise enacted, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued and applied any sum or sums of money, not exceeding one million two hundred thirty eight thousand seven hundred and

1,238,704l.  
9s. 11d. to  
the land for-  
ces.



of which

628,230l. 4s.  
7d. for guards  
&c. in Great  
Britain,  
Guernsey,  
and Jersey;

236,420l. 18s.  
6d. 2q. for  
Garrisons, &c.  
in the planta-  
tions, Minor-  
ca and Gibralt-  
tar, Nova Sco-  
tia, New-  
foundland,  
and Provi-  
dence.

29,993l. 3s.  
7d. to the  
duke of Brunf-  
wick Wolten-  
bottle ;  
8,620l. to the  
elector of  
Mentz.

22,372l. 3s.  
1d. 2q. to the  
elector of Ba-  
varia.

65,481l. 4s.  
7d. for extra-  
ordinary land-  
forces, &c.  
in 1749.

49,848l. 7s.  
6d. to out-  
pensioners of  
Chelsea Hos-  
pital ;

5,117l. 11s.  
8d. to the  
two troops  
of horfe  
guards, &c.

67,000l. to  
reduced offi-  
cers

3,374l. to re-  
duced officers  
widows, &c.

hundred and four pounds, nine shillings and eleven pence, for and towards maintaining his Majesty's land forces, and other services herein after more particularly expressed ; (that is to say) any sum or sums of money, not exceeding six hundred twenty eight thousand two hundred and thirty pounds, four shillings, and seven pence, for defraying the charge of the eighteen thousand eight hundred and fifty seven effective men, including commission and non-commission officers, and one thousand eight hundred and fifteen invalids, for guards, garrisons, and other his Majesty's land forces, in *Great Britain, Guernsey, and Jersey*, for the service of the year one thousand seven hundred and fifty ; and any sum or sums of money, not exceeding two hundred thirty six thousand four hundred and twenty pounds, eighteen shillings, and six pence halfpenny, for maintaining his Majesty's forces and garrisons in the plantations, *Minorca, and Gibraltar*, and for provisions for the garrisons in *Nova Scotia, Newfoundland Gibraltar, and Providence*, for the year one thousand seven hundred and fifty ; and any sum or sums of money, not exceeding twenty nine thousand nine hundred and ninety three pounds, three shillings and seven pence, to make good his Majesty's engagements with his most serene highness the duke of *Brunswick Wolfenbottle*, pursuant to treaty ; and any sum or sums of money, not exceeding eight thousand six hundred and twenty pounds, to make good his Majesty's engagements with the elector of *Mentz*, pursuant to treaty ; and any sum or sums of money, not exceeding twenty two thousand three hundred and seventy two pounds, three shillings, and one penny halfpenny, to make good his Majesty's engagements with the elector of *Bavaria*, pursuant to treaty ; and any sum or sums of money, not exceeding sixty five thousand four hundred eighty one pounds, four shillings, and seven pence, for defraying the extraordinary expences of his Majesty's land forces, and other services incurred in the year one thousand seven hundred and forty nine, and not provided for by parliament ; and any sum or sums of money, not exceeding forty nine thousand eight hundred forty eight pounds, seven shillings, and six pence, upon account, towards defraying the charge of out-pensioners of *Chelsea Hospital*, for the year one thousand seven hundred and fifty ; and any sum or sums of money, not exceeding five thousand one hundred seventeen pounds, eleven shillings, and eight pence, for defraying the charge for allowances to the several officers and private gentlemen of the two troops of horfe guards, and regiment of horfe, reduced ; and to superannuated gentlemen of the four troops of horfe guards, for the year one thousand seven hundred and fifty ; and any sum or sums of money, not exceeding sixty seven thousand pounds, upon account of the reduced officers of his Majesty's land forces and marines, for the year one thousand seven hundred and fifty, subject to such rules to be observed in the application of the said half-pay, as are hereafter prescribed concerning the same ; and any sum or sums of money, not exceeding three thousand three hundred seventy four pounds, for paying

paying of pensions to the widows of such reduced officers of his Majesty's land forces and marines, as died upon the establishment of half-pay in *Great Britain*, and who were married to them before the twenty fifth day of *December*, one thousand seven hundred and sixteen, for the year one thousand seven hundred and fifty; which said sum of three thousand three hundred and seventy four pounds, shall be issued to such person or persons, as his Majesty shall, by warrant or warrants under his Majesty's royal sign manual, direct and appoint to receive the same, to be by him or them paid over to such widows of half-pay officers, or their assigns, according to such establishments, lists, or other directions, and with and subject to such conditions, qualifications, and other allowances for the same, as his Majesty, by such and the like warrant or warrants, shall be graciously pleased to direct and appoint; and any sum or sums of money, not exceeding one hundred twenty two thousand two hundred forty six pounds, sixteen shillings, and four pence, for defraying the expence of services incurred during the war in his Majesty's colonies in *North America*, on account of the intended expedition against *Canada*, and for other services arising therefrom, and for the succour of *Nova Scotia*.

XVIII. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding thirty six thousand four hundred seventy six pounds three shillings, and ten pence, upon account, for defraying the charges incurred by transporting to his Majesty's colony of *Nova Scotia*, and supporting and maintaining there, a number of reduced officers and private men dismissed his Majesty's land and sea service, and other his Majesty's subjects now settled in the said colony, and not provided for by parliament; and any sum or sums of money, not exceeding thirty nine thousand seven hundred seventy eight pounds, nineteen shillings, and two pence, upon account, for supporting, maintaining, and enlarging the settlement of his Majesty's colony of *Nova Scotia*, for the year one thousand seven hundred and fifty.

XIX. And it is hereby also enacted, That out of all or any the aids or supplies aforesaid, there shall and may be issued and paid to the commissioners for building a bridge across the river of *Thames*, from the city of *Westminster* to the opposite shore in the county of *Surry*, or any seven or more of them, or to such person or persons as shall be appointed under the hands and seals of the said commissioners, or any seven or more of them, to receive the same, the sum of eight thousand pounds, without account, other than is directed for other monies raised by virtue of several former acts of parliament, passed during the reign of his present Majesty, for building the said bridge, to be applied to finish the said bridge, and to enable the said commissioners to perform the other trusts reposed in them.

XX. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and

122,246l. 16s. 4d. for services during the war in North America, &c.

36,476l. 3s. 10d. charges of settling Nova Scotia.

39,778l. 19s. 2d. for Nova Scotia.

8000l. for the Bridge at Westminster.

1,000,000l. to pay the like ſum; charged on the firſt aids raiſed after 29 Sept. 1749. and may be iſſued and applied any ſum or ſums of money, not exceeding one million, to diſcharge the ſum of one million raiſed in purſuance of an act paſſed in the laſt ſeſſion of parliament, and charged on the firſt aids or ſupplies to be granted in parliament, after the twenty ninth day of *September*, one thouſand ſeven hundred and forty nine; and any ſum or ſums of money,

94,655l. 7s. 4d. to make good the deficiency of the half ſubſidy. at *Chriſtmas*, one thouſand ſeven hundred and forty nine, of the half ſubſidy of tonnage and poundage, for paying the annuity and charges of management of the *South Sea* company, for ſubſcriptions into their capital of annuities, granted by the ſecond act *Anno* one thouſand ſeven hundred and eight; and any ſum or ſums of money, not exceeding ten thouſand pounds, towards

10,000l. for ſupport of the *British* forts, &c. upon the coaſt of *Africa*. the ſupport of the *British* forts and ſettlements upon the coaſt of *Africa*, to be applied in ſuch manner, as his Majeſty ſhall think proper; and there ſhall and may be iſſued and paid to the truſtees for eſtabliſhing the colony of *Georgia* in *America*, any ſum or ſums of money, not exceeding three thouſand three hundred and four pounds, three ſhillings, and four pence, by them to be applied for the further ſettling and improving the ſaid colony.

3,304l. 3s. 4d. for *Georgia*. XXI. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money, not exceeding five thouſand one hundred eighty three pounds, ſeventeen ſhillings, and eight pence, to replace to the ſinking fund the like ſum paid out of the ſame, to make good the deficiency of the additional ſtamp duties at *Chriſtmas*, one thouſand ſeven hundred and forty eight; and any ſum or ſums of money not exceeding thirteen thouſand three hundred ſixty one pounds, ten ſhillings, and one penny, to replace to the ſaid ſinking fund the like ſum paid out of the ſame, to make good the deficiency

5,183l. 17s. 8d. to make good the deficiency of the ſtamp duties. of the duty of twelve ſhillings a barrel on ſweets, or wines made from *British* or foreign fruit or ſugar, at *Michaelmas*, one thouſand ſeven hundred and forty nine; and any ſum or ſums of money, not exceeding thirty five thouſand pounds, to replace to the ſaid ſinking fund the like ſum paid out of the ſame, to answer one year's intereſt due at *Michaelmas*, one thouſand ſeven hundred and forty nine, after the rate of three pounds ten ſhillings

13,361l. 10s 1d. deficiency of the duties on ſweets. *per centum per annum*, on the principal ſum of one million lent on credit of the ſalt duties, which were continued for fix years, from *Lady-day*, one thouſand ſeven hundred and fifty three, towards the ſupply for the year one thouſand ſeven hundred and forty five; and any ſum or ſums of money, not exceeding ſeven thouſand one hundred ninety fix pounds, four ſhillings, and five pence halfpenny, to replace to the ſaid ſinking fund the like ſum paid out of the ſame, to make good the deficiency of the additional duties on wines at *Michaelmas*, one thouſand ſeven hundred and forty nine; and any ſum or ſums

35,000l. for intereſt on the ſalt duties. of  
7,196l. 4s. 5d. 2q. to make good the additional duties on wines.

of money, not exceeding five thousand seven hundred twenty four pounds, three shillings, and nine pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty on licences for retailing of spirituous liquors, at *Lady-day*, one thousand seven hundred and forty nine; and any sum or sums of money not exceeding twenty one thousand five hundred sixty four pounds, two shillings, and ten pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duties on glass and spirituous liquors, at *Midsummer*, one thousand seven hundred and forty nine; and any sum or sums of money, not exceeding thirty nine thousand six hundred thirty one pounds, six shillings, and ten pence halfpenny, for making good the deficiency at *Christmas*, one thousand seven hundred and forty nine, of the said duties on glass and spirituous liquors; and any sum or sums of money, not exceeding two hundred seventy five thousand seven hundred thirty six pounds, five shillings, and three pence, to make good the deficiency of the grants, for the year one thousand seven hundred and forty nine.

5,724l. 3s. 9d. to make good the duty on licences for retailing spirituous liquors.

21,564l. 2s. 10d. 2q. deficiency of the duties on glass and spirituous liquors.

39,631l. 6s. 10d. 2q. deficiency at Christmas, 1749;

275,736l. 5s. 3d. deficiency of the grants for 1749;

XXII. And be it further enacted by the authority aforesaid, That the said aids and supplies provided as aforesaid shall not be issued or applied to any use, intent, or purpose whatsoever, other than the uses and purposes before mentioned, or for the several deficiencies or other payments directed to be satisfied thereout by any act or acts, or any particular clause or clauses for that purpose contained in any other act or acts of this present session of parliament.

The supplies to be applied only as this act directs.

XXIII. And as to the said sum of sixty seven thousand pounds by this act appropriated on account of half-pay, as aforesaid; it is hereby enacted and declared by the authority aforesaid, That the rules herein after prescribed shall be duly observed in the application thereof; that is to say, That no person shall have or receive any part of the same, who was a minor, and under the age of sixteen years, at the time when the regiment, troop, or company, in which he served, was reduced; that no person shall have or receive any part of the same, except such persons who did actual service in some regiment, troop, or company; that no person having any other place or employment of profit civil or military, under his Majesty, shall have or receive any part of the said half-pay; that no chaplain of any garrison or regiment, who has any ecclesiastical benefice in *Great Britain* or *Ireland*, shall have or receive any part of the said half-pay; that no person shall have or receive any part of the same, who has resigned his commission, and has had no commission since; that no part of the same shall be allowed to any person by virtue of any warrant or appointment, except to such persons, who would have been otherwise intitled to the same as reduced officers; and that no part of the same shall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot, lately disbanded in *Ireland*, except to such as

Rules to be observed in the application of the half pay.

were lately taken off the establishment of half-pay in Great Britain.

22 Geo. 2.  
c. 42.

XXIV. *And whereas by an act of parliament made in the twenty second year of his Majesty's reign, (intituled, An act for granting to his Majesty the sum of one million out of the sinking fund, for the service of the year onethousand seven hundred and forty nine; and for enabling his Majesty to raise a further sum of one million for the uses and purposes therein mentioned; and for the further appropriating the supplies granted in this session of parliament; and for applying a certain sum for defraying certain charges and allowances to the officers and private gentlemen of the reduced troops of horse guards; and for continuing the bounties on the exportation of British and Irish linens; and for making forth duplicates of exchequer bills, lottery tickets, annuity orders, or other orders, lost, burnt, or otherwise destroyed) several supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several uses and purposes therein expressed, amongst which, any sum or sums of money, not exceeding sixty seven thousand two hundred and twenty six pounds, eighteen shillings, and four pence, was appropriated to be paid to the reduced officers of his Majesty's land forces and marines, subject nevertheless to such rules to be observed in the application of the said half-pay, as in and by the aforesaid act were prescribed in that behalf; now it is hereby provided, enacted, and declared by the authority aforesaid, That so much of the said sum of sixty seven thousand two hundred twenty six pounds, eighteen shillings, and four pence, as is or shall be more than sufficient to satisfy the said reduced officers, according to the rules prescribed by the said act to be observed in the application thereof, or any part of such overplus, shall and may be disposed of to such officers who are maimed or lost their limbs in the late wars, or such others, as by reason of their long service, or otherwise, his Majesty shall judge to be proper objects of charity, or to the widows or children of such officers, according to such warrant or warrants, under his Majesty's royal sign manual, as shall be signed in that behalf; any thing in this act, or the said former act to the contrary notwithstanding.*

Application of  
the surplus of  
67,226l. 18s.  
4d. appro-  
priated in  
1749, to the  
half-pay.

Clause for re-  
lief of persons  
who have  
omitted to  
pay the duties  
charged on in-  
dentures.

XXV. *And for the relief of any person or persons, who through neglect or inadvertency, have omitted to pay the several rates and duties, or any part thereof, upon monies given, paid, contracted, or agreed for, with or in relation to any clerk, apprentice, or servant, which hath been put or placed to or with any master or mistress to learn any profession, trade or employment, and to have such indentures or other writings, which shall contain the covenant, articles, contracts, or agreements, relating to the service of such clerk, apprentice, or servant, stamp within the times by the several acts of parliament, for those purposes respectively limited, or who have also in like manner omitted to insert and write in words at length, in such indentures or other writings as aforesaid, the full sum or sums of money, or any part thereof received, or in any wise directly or indirectly given, paid, agreed, or contracted for, with, or in re-*

lation

lation to every such clerk, apprentice, or servant as aforesaid; be it enacted by the authority aforesaid, That upon payment of the rates or duties upon monies, or such part of such monies so neglected or omitted to be paid as aforesaid, on or before the first day of *August*, one thousand seven hundred and fifty, to such person or persons to whom the same ought to be paid, and tendering the said indentures or other writings to be stamped at the same time, or at any time on or before the twenty ninth day of *September*, one thousand seven hundred and fifty, of which timely notice is to be given in the *London Gazette*, the same indentures or other writings shall be good and available in law and equity, and may be given in evidence in any court whatsoever; and the clerk, apprentice, or servant therein named, shall be capable of following and exercising their respective intended trades or employments, as fully as if the said rates and duties so omitted had been duly paid, and the full sum or sums received or agreed for as aforesaid had been inserted, and the persons who have incurred any penalties by the omissions aforesaid, shall be acquitted and discharged of and from the said penalties, any thing in this or any former acts to the contrary in any wise notwithstanding.

XXVI. *And whereas the fund upon which the bounties granted upon the exportation of British made sail cloth are charged, hath of late been deficient, which has contributed to the decay of the said manufacture*; in order therefore to secure the due and regular payment of the said bounties for the future, be it enacted by the authority aforesaid, That from and after the first day of *June*, one thousand seven hundred and fifty, the bounty which is now payable upon exportation of *British* sail cloth out of the duty of one penny *per ell*, on foreign sail cloth imported, shall from time to time for the future, be supplied and paid out of such part of the old subsidies as are applicable to the payment of incidents (after satisfying all payments already charged thereupon, by any former act or acts of parliament in that behalf) in the like manner, and under the like regulation and restrictions, as are directed and prescribed by the several acts for the payment of such bounties.

The bounty upon exportation of British sail cloth, to be paid for the future out of the old subsidies.  
26 Geo. 2.  
c. 32. f. 9.

XXVII. *Whereas great frauds and abuses are committed in the duties arising from candles, soap and starch, which apparently tend not only to the diminution of the said revenues, but also to the discouragement of the fair traders*; for remedy whereof, be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of *May*, one thousand seven hundred and fifty, no candles, soap, or starch shall be brought or imported into *Great Britain*, in any ship or vessel from *Ireland*, or the isle of *Man*, or from any other place or places whatsoever beyond the seas, otherwise than in cask, chest, case, bag, or other package, each cask, chest, case, bag, or other package whereof, shall contain two hundred and twenty four pounds, of neat candles, soap, or starch at the least, to be stowed openly in the hold of such ship or vessel importing the same,

Candles, soap, or starch imported contrary to this act,

under

to be forfeited,  
and the matter  
to pay 50 l.  
26 Geo. 2.  
c. 32. f. 8.

Officers may  
feize the same.

Officers of ex-  
cise may go on  
board vessels,

and rummage  
for candles,  
soap, and  
starch, &c.

Cocquets to  
exprefs the  
quality, quan-  
tity, and  
weight, &c.  
of those com-  
modities, un-  
der penalty of  
the goods  
being forfeit-  
ed, &c.

under the penalties and forfeitures following (that is to say) that all the candles, soap, or starch so imported, in any ship or vessel contrary to this act, together with the package, shall be forfeited, and the master, mate, or other person, taking the charge or command of such ship or vessel, shall forfeit fifty pounds; and it shall and may be lawful for the respective officers of the customs or excise, or such other persons who are or shall be deputed or authorized thereto, by warrant from the high treasurer, commissioners of the treasury, or under treasurer, or by special commission from his Majesty, under the great seal or privy seal, to seize such candles, soap, or starch, together with the casks, chests, or other package, containing the same.

XXVIII. And be it enacted by the authority aforesaid, That from and after the first day of *May*, one thousand seven hundred and fifty, it shall and may be lawful to and for the officers of his Majesty's revenue of excise, or any of them, to go on board and enter into any ship or vessel whatsoever, which shall be within the limits of any of the ports of the kingdom of *Great Britain*, and to continue on board the same, and to rummage and search in like manner as the officers of the customs may now legally do, for all candles, soap, and starch, and to seize for his Majesty's use, as well all such of the said commodities as shall be there found, which by the laws thereunto respectively relating, shall be forfeited, together with the casks, boxes, chests, bags, or other package containing the same; and in like manner to seize such of the commodities aforesaid, every or any of them, as before due entry thereof, with the proper officer or officers, and without paying or securing the duties on the importation thereof, shall be found unshipping or unshipped out of such ship or vessel, to be laid on land, without entry and payment of the duties due for the same respectively, together with the casks, chests, boxes, bags, or other package whatsoever, containing the same.

XXIX. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand seven hundred and fifty, where any sufferance, cocquet, or transire shall be granted, for any candles, soap, or starch, to be shipped or put on board, to be carried forth to the open sea from any port, creek, or member, within the kingdom of *Great Britain*, to be landed at any other place in the said kingdom, such sufferance, cocquet, or transire, shall respectively exprefs the quality, quantity, and weight of the said candles, soap, or starch, and mark of the package so to be shipped, by whom such candles, soap, or starch were made and sold, and to what place the same is or are consigned; and where any candles, soap, or starch shall be so shipped or put on board, without such sufferance, cocquet, or transire, such candles, soap, or starch, together with the package containing the same, shall be forfeited and lost; and it shall and may be lawful for the respective officers of the customs or excise, or such other persons who are or shall be deputed or authorized thereto, by warrant from the high treasurer, commissioners

Commissioners of the treasury, or under treasurer, or by special commission from his Majesty, under the great seal, or privy seal, to seize such candles, soap, or starch, together with the casks, or other package containing the same.

XXX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any officer or officers of excise or customs, to seize any quantity of candles, soap, or starch, together with the package containing the same, that shall be found in any ship or vessel, or shall be carrying in any cart or waggon, or in any other carriage whatsoever, where they shall have good reason to suspect and believe, the same hath been made in some private workhouse or other place, or clandestinely imported without payment of the duty, or that the same are candles, soap, or starch which have been exported, and re-landed, after the duty had been repaid and drawn back for the same at the time of the exportation thereof; and if the party in whose possession such candles, soap, or starch shall be found, does not at the hearing of the information for that purpose to be exhibited as herein after directed, make it appear that the duty hath been paid or secured for the same, all the said candles, soap or starch, so seized for the causes aforesaid, shall be forfeited, together with the package containing the same; and the person in whose possession such candles, soap, or starch shall be found, shall likewise forfeit and pay the sum of five pounds, for every hundred pounds weight; and so in proportion for a greater or lesser quantity.

Officers may seize those commodities suspected to have been made in private work-houses, or clandestinely imported, &c.

and the possessor not proving the payment of the duty,

to forfeit the goods, and 5*l.* for every C. weight.

XXXI. And be it further enacted by the authority aforesaid, That if any foreign candles, soap, or starch, shall be unshipped with intention to be laid on land before an entry has been made thereof, with the proper officer or officers for the said duties, and before the respective duties for the same have been first paid or secured; or if any candles, soap, or starch contained or specified in any certificate, whereupon any drawback is to be made, or whereupon any debenture is to be made forth for such drawback, shall, when shipped for exportation, be landed again in any part of *Great Britain*; such candles, soap, or starch, together with the package containing the same, and the vessels and boats, and all the horses and other cattle and carriages whatsoever, used in the landing, relanding, removing, carrying, or conveying of the aforesaid goods, shall be forfeited and lost, and may be seized by any officer or officers of the customs or excise; and the person or persons from whom such candles, soap, or starch shall be seized, shall also forfeit and pay five pounds, for every hundred pounds weight thereof; and so in proportion for a greater or less quantity.

Foreign candles, soap, or starch unshipped before entry,

or re-landed, after shipped for exportation,

forfeited, and the vessels, horses, and carriages, &c.

and the possessor to pay 5*l.* for every C. weight.

XXXII. And for the more effectual discovering and detecting the running of any candles, soap, or starch; be it enacted by the authority aforesaid, That in case any person or persons whatsoever shall knowingly harbour, keep, or conceal, or shall knowingly permit or suffer to be harboured, kept, or concealed, such candles, soap, or starch, which have been so unlawfully imported,

Persons harbouring any of these commodities unlawfully imported, &c.



to forfeit the  
goods,

and 50l. for  
every C. wt.

Method of  
proceeding  
when no per-  
son appears to  
claim the  
goods within  
20 days.

Judgements to  
be final.

or which have been shipped for exportation upon debenture, and so relanded as aforesaid, the party or parties offending therein, whether, he, she, or they, have or have not, or do, or do not claim or pretend to have any property or interest in such candles, soap, or starch, so harboured, kept, or concealed, shall, for every such offence, forfeit and lose all such candles, soap, or starch, so harboured, kept, or concealed, with the casks, vessels, or other package containing the same; and shall forfeit and lose the sum of fifty pounds, for every hundred pounds weight thereof; and in the same proportion for a greater or lesser quantity.

XXXIII. Provided always, and it is hereby further enacted by the authority aforesaid, That in all cases, where any such candles, soap, or starch shall be seized as forfeited, and no person or persons within twenty days next after such seizure shall appear to the officer or officers who made such seizure, to claim the same, then, and in such case, if such seizure or seizures shall happen to be made within the limits of the chief excise office in *London*, it shall and may be lawful for the officer or officers who shall make such seizure or seizures, from and after the expiration of the said twenty days next after such respective seizure or seizures, to cause notice in writing to be signed by his Majesty's solicitor for the revenue of excise for the time being, to be affixed at the *Royal Exchange*, signifying the day and time of the day, that the commissioners of the excise for the time being, or three of them, will proceed to hear the matter of such seizure or seizures, and to the condemnation of the candles, soap, or starch, so seized as aforesaid, and of the casks, vessels, or other package containing the same; and if such seizure of candles, soap, or starch as aforesaid, shall happen to be made as aforesaid, out of the limits of the said chief excise office in *London*, it shall and may be lawful for the officers who shall make such seizure or seizures, from and after the expiration of twenty days next after such respective seizure or seizures, to cause publick notice to be given by proclamation, at the next market town to the place or places where such respective seizure or seizures shall be made as aforesaid, upon the next market day after the expiration of the said twenty days, of the day and place when and where the justices of the peace will proceed to hear the matter of such seizure or seizures, and to the condemnation of the candles, soap, or starch so seized as aforesaid; in which said cases it shall and may be lawful for the said commissioners of excise, and justices of the peace respectively, within their respective jurisdictions to proceed to examine into the cause of such seizure or seizures, and to give judgement for the condemnation of such candles, soap, or starch so seized, as upon due examination shall appear to be forfeited, and of the casks, vessels, or other package containing the same, which judgements shall be good, valid, and effectual in the law, and final to all intents and purposes whatsoever, as if the respective owner or owners of the said candles, soap, starch, or the respective person or persons in whose custody the same were or was at the respective time

time or times of the ſeizure or ſeizures thereof, had been reſpectively ſummoned to attend the ſaid commiſſioners of exciſe or juſtices of the peace, in the manner herein before preſcribed, and ſhall not be liable to any appeal, or to be removed by *Certiorari*; and not removeable by *Certiorari*. any thing in this preſent act contained, or any law, ſtatute, or provision to the contrary thereof, in any wiſe notwithstanding.

XXXIV. And be it further enacted by the authority aforeſaid, That in caſe any officer or officers for the ſaid duties of exciſe, ſhall have cauſe to ſuſpect that any candles, ſoap, or ſtarch ſhall be fraudulently hid or concealed in any place whatſoever, either entered for keeping the ſame, or not entered, with an intent to defraud his Maſteſty of the duties thereon, then and in ſuch caſe, if ſuch place ſhall be within the cities of *London* or *Weſtmiſter*, or within the limits of the weekly bills of mortality, upon oath made by ſuch officer or officers before the commiſſioners of exciſe for the time being, or any two or more of them, or in caſe the ſame ſhall be in any other part of *Great Britain*, upon oath made by ſuch officer or officers, before one or more juſtice or juſtices of the peace for the county, riding, diſtrict, or place where ſuch officer ſhall ſuſpect the ſame to be hid or concealed, ſetting forth the ground of his or their ſuſpicion, it ſhall and may be lawful to and for the ſaid commiſſioners, or juſtice or juſtices of the peace reſpectively, before whom ſuch affidavit or affidavits ſhall be made, if he or they ſhall judge it reaſonable, by ſpecial warrant or warrants, under his or their reſpective hands and ſeals, to authorize and impower ſuch officer or officers by day or by night, but if in the night, in the preſence of a conſtable or other lawful officer of the peace, to enter into all and every ſuch place or places, where he or they ſhall ſo ſuſpect ſuch candles, ſoap, or ſtarch to be ſo fraudulently hid or concealed, and ſeize and carry away all ſuch candles, ſoap, or ſtarch, which he or they ſhall then and there find ſo fraudulently hid and concealed, as forfeited, together with all the caſks, cheſts, boxes, bags, or other package whatſoever, wherein the ſame ſhall be contained; and if any perſon or perſons whatſoever, ſhall obſtruct, oppoſe, moleſt, lett, or hinder any officer or officers of or for the ſaid duties, or any of them, in the doing, performing, or executing any of the powers or authorities by this act given to ſuch officer or officers; every ſuch perſon or perſons offending therein, ſhall, for every ſuch offence, forfeit and loſe the ſum of one hundred pounds.

XXXV. And be it declared and enacted by the authority aforeſaid, That if any of the ſaid candles, ſoap, or ſtarch ſhall be ſo ſeized for non-payment of duties or non-entry, and any diſpute ſhall ariſe, whether the cuſtoms, exciſe, or inland duties have been paid for the ſame, or the ſame have been duly entered, then, and in ſuch caſes, the proof thereof ſhall lie on the owner or claimer of ſuch goods, and not on the officer who ſhall ſeize or ſtop ſuch goods.

XXXVI. And be it further enacted by the authority aforeſaid, That from and after the ſaid firſt day of *May*, one thouſand ſeven hundred and ſeventy ſeven, on candles, ſoap or ſtarch,

made in Ire-  
land, &c.

seven hundred and fifty, no person who shall export from any part of *Great Britain*, candles, soap, or starch made in *Ireland*, or in the isle of *Man*, or in any other place or places whatsoever beyond the seas, shall, on exportation thereof, be intitled to receive any drawback, or be repaid the duties, customs, or impositions, paid, payable, or secured on importation of the same, or any part thereof; any law, statute, custom, or usage to the contrary notwithstanding.

Method of  
proceeding to  
condemnation  
of such seiz-  
ures.

XXXVII. And be it further enacted by the authority aforesaid, That when any candles, soap, or starch shall be seized by any officer of excise, or any other persons authorized thereto, on board any ship or vessel, or unshipping or unshipped, as forfeited by virtue and in pursuance of this act; and when any candles, soap, or starch shall be seized by any officer of excise, or any other persons authorized thereto, carrying or removing by land, or lodged or concealed in any place whatsoever on shore, as forfeited by virtue and in pursuance of this act; all such seizures of the said goods and packages, and of the vessels, boats, horses, and other cattle, waggons, carts, and other carriages, used for carrying and removing the same (except such seizures of the said goods and packages, and of the vessels, boats, horses, and other cattle, waggons, carts, and other carriages, used for carrying and removing the same) where no person or persons shall, within twenty days after such seizure, claim the same (in which case the method of proceeding has been herein before directed) and the several penalties and forfeitures by this act respectively imposed, shall and may be proceeded upon, heard, and determined in such manner and form as hereafter in and by this act is directed and appointed (that is to say) all informations for the condemnation of such seizures, and for the penalties and forfeitures by this act respectively imposed, if the said seizures were made, and penalties and forfeitures incurred within the limits of the chief office of excise in *London*, shall be proceeded upon, heard, and determined by the commissioners of excise for the time being, or any three of them, or by the commissioners of appeals, or the major part of them, in case of appeal, and not otherwise: and all informations for the condemnation of such seizures, and for the penalties and forfeitures by this act respectively imposed, if such seizures were made, and penalties and forfeitures incurred out of the limits of the said chief office of excise in *London*, shall be proceeded upon, heard, and determined by any two or more of the justices of the peace for time being, residing near to the place where such seizure shall be made, or penalty or forfeiture incurred; and if either party find himself aggrieved by the judgement given by two or more justices, he shall and may appeal to the justices of the peace at the next quarter sessions, who are hereby authorized and empowered to hear and determine the same; whose judgement therein shall be final: which said commissioners of excise and appeals, and the said justices of the peace respectively, are hereby authorized and required, upon any information exhibit-

ed,

ed, or complaint made, within three months after any seizure made, or penalty or forfeiture incurred, to summon the party accused, and also the witnesses on either side; and upon the appearance, or default of the party accused in not appearing (upon proof of notice given) to proceed to the examination of the matter of fact, and of the witness or witnesses, upon oath (which oath they the said commissioners and justices are hereby respectively impowered to administer) touching such seizure or seizures, penalties or forfeitures; and thereupon to proceed to give judgement, as well for any penalty or forfeiture inflicted by this act, which, upon due examination, or the voluntary confession of the party accused, shall be found to be incurred, as for the condemnation of such candles, soap, or starch, and the packages, and the vessels, boats, horses, and other cattle, waggons, carts, and other carriages, so seized, which, upon due examination, or the voluntary confession of the party accused, shall be found to be forfeited by virtue of this act, or any other act relating to his Majesty's revenue of excise, and to issue out their warrants for the sale of such candles, soap, or starch, and the packages, and vessels, boats, horses, and other cattle, waggons, carts, and other carriages, as shall be so by them respectively condemned; and where the party accused shall be convicted of the offence alleged against him, to award and issue warrants under their hands for the levying any pecuniary penalty or penalties so adjudged upon the goods and chattels of the said offenders, and to cause sale to be made of the said goods and chattels, if they shall not be redeemed within fourteen days, rendering to the party the overplus (if any) and for want of sufficient distress, to imprison the party offending till satisfaction be made.

XXXVIII. Provided nevertheless, That it shall and may be lawful to and for the said commissioners and justices, where they shall see cause, to mitigate or lessen any penalties and forfeitures, in such manner as they shall think fit; the reasonable costs and charges of the officers, as well in making the discovery, as in the prosecution of the same, being always allowed over and above such mitigation, and so as such mitigation do not reduce the penalty to less than one fourth part thereof, over and above the said costs and charges; any thing contained in this act to the contrary notwithstanding.

XXXIX. And it is hereby further enacted, That all penalties and forfeitures in this act mentioned (all necessary charges for the recovery thereof being first deducted) shall be employed, one moiety thereof to, and for the use of his Majesty, his heirs and successors, and the other moiety to the seizer or prosecutor.

XL. Provided also, and be it enacted, That no writ or writs of *Certiorari* shall supersede execution, or other proceedings upon any order or orders, made in pursuance of this act; but that execution, and other proceedings, shall and may be had and made thereupon; any such writ or writs, or allowance thereof, notwithstanding.

Power to mitigate the penalties, &c.

Application of the penalties.

Execution, &c. not to be superseded by *Certiorari*.

## CAP. XXII.

*An act for giving further time to the proprietors of annuities, after the rate of four pounds per centum per annum, to ſubſcribe the ſame in the manner, and upon the terms, therein mentioned; and for redeeming ſuch of the ſaid annuities, as ſhall not be ſo ſubſcribed; and for impowering the Eaſt India company to raiſe certain ſums by transferable annuities.*

*Moſt gracious Sovereign,*

23 Geo. 2. c. 1. **W**HEREAS by an act made and paſſed in this preſent ſeſſion of parliament, intituled, An act for reducing the ſeveral annuities which now carry an intereſt after the rate of four pounds per centum per annum to the ſeveral rates of intereſt therein mentioned; it was amongſt other things, enacted, That any perſon and perſons, bodies politick or corporate, who were intereſted in, or intituled unto, any part of the national debt incurred before Michaelmas, one thouſand ſeven hundred and forty nine, redeemable by law, which now carries an intereſt after the rate of four pounds per centum per annum; and who ſhould, on or before the twenty eighth day of February, one thouſand ſeven hundred and forty nine, ſubſcribe their names, or ſignify their conſents, in books prepared for that purpoſe, to accept of an intereſt of three pounds per centum per annum, to commence from the twenty fifth day of December, one thouſand ſeven hundred and fifty ſeven, ſubject to the ſame proviſoes, notices, and claules of redemption, which their reſpective four per cents are now liable to; ſhould, in lieu of their preſent intereſt, be intituled unto, and receive an intereſt of four pounds per centum per annum, until the twenty fifth day of December, one thouſand ſeven hundred and fifty; and from and after the twenty fifth day of December, one thouſand ſeven hundred and fifty, an intereſt of three pounds ten ſhillings per centum per annum, until the twenty fifth day of December, one thouſand ſeven hundred and fifty ſeven; and that no part of the ſame ſhould be liable to be redeemed, except as therein is excepted, till after the ſaid twenty fifth day of December, one thouſand ſeven hundred and fifty ſeven, as in and by the ſaid act, relation being thereunto had, may more fully appear: and whereas in purſuance of the powers given by the before recited act, great part of the ſaid annuities, after the ſaid rate of four pounds per centum per annum, have been ſubſcribed upon the terms of the ſaid act: now we your Maſteſty's moſt dutiful and loyal ſubjects, the commons of Great Britain in parliament aſſembled, being truly ſenſible that the compleating the reduction of the ſaid annuities, carrying an intereſt of four pounds per centum per annum, which remain unſubſcribed, would be of publick ſervice to the nation, have reſolved, That any perſon or perſons, bodies politick or corporate, who now are, or hereafter may be, intereſted in, or intituled unto, ſuch part of the national debt, incurred before Michaelmas, one thouſand ſeven hundred and forty nine, redeemable

Time given to  
30 May, to the  
proprietors of  
the four per  
cent annui-

able by law, which now carries an interest of four pounds *per* ties, to sub-  
*centum per annum*, as hath not been subscribed, in pursuance of <sup>scribe, &c.</sup>

the said recited act of this session of parliament, and who do, on-  
 or before the thirtieth day of *May*, one thousand seven hundred  
 and fifty, subscribe their names, or signify their consent, to ac-  
 cept of an interest of three pounds *per centum per annum*, to com-  
 mence from the twenty fifth day of *December*, one thousand seven  
 hundred and fifty five, subject to the same provisions, notices,  
 and clauses of redemption, which their respective four *per cents*  
 are now liable to, shall, in lieu of their present interest, be in-  
 titled unto, and receive, an interest of four pounds *per centum*  
*per annum*, until the twenty fifth day of *December*, one thousand  
 seven hundred and fifty; and from and after the said twenty fifth  
 day of *December*, one thousand seven hundred and fifty, an in-  
 terest of three pounds and ten shillings *per centum per annum*,  
 until the twenty fifth day of *December*, one thousand seven hun-  
 dred and fifty five; and that no part of the same shall be liable

Such part of  
 the four per  
 cent. annuities  
 as shall not be  
 subscribed, to  
 be paid off.

to be redeemed, until after the said twenty fifth day of *December*,  
 one thousand seven hundred and fifty five; and that such part  
 of the national debt incurred before *Michaelmas*, one thousand  
 seven hundred and forty nine, redeemable by law, which now  
 carries an interest of four pounds *per centum per annum*, and  
 which shall not be subscribed on or before the thirtieth day of  
*May*, one thousand seven hundred and fifty, be redeemed and paid  
 off; and that your Majesty be enabled to borrow of any person  
 or persons, bodies politick or corporate, any sum or sums of  
 money, not exceeding such part of the national debt, carrying  
 an interest of four pounds *per centum per annum*, redeemable by  
 law, as hath not been subscribed in pursuance of the said act,  
 and shall not be subscribed according to the foregoing resolution,  
 to be charged upon the sinking fund; and to be applied to pay  
 off and redeem such part of the said national debt, so unsub-  
 scribed as aforesaid, upon any terms, not exceeding the rates  
 of interest proposed in the said resolution: and whereas several  
 notices have been given by the speaker of the house of commons,  
 in pursuance of the resolution of the said house, that unless the  
 said unsubscribed annuities, carrying an interest of four pounds  
*per centum per annum*, be subscribed on or before the thirtieth  
 day of *May*, one thousand seven hundred and fifty, the same  
 would be redeemed and paid off, according to the terms in the  
 said notices contained respectively; that is to say, That so much  
 of the annuities transferrable at the bank of *England*, created in  
 the year one thousand seven hundred and forty six; and so much  
 of the annuities transferrable at the bank of *England*, as were  
 raised by a lottery in the year one thousand seven hundred and  
 forty seven, as have not been subscribed in pursuance of an act  
 passed this session of parliament, and shall not be subscribed  
 on or before the thirtieth day of *May*, one thousand seven hun-  
 dred and fifty, will be redeemed and paid off on the twenty  
 fourth day of *June*, one thousand seven hundred and fifty one,  
 agreeable to the clauses, and powers of redemption, contained in

His Majesty  
 empowered to  
 borrow money  
 on the sinking  
 fund to pay off  
 the same.

the feveral acts of parliament for creating the faid annuities refpectively; that fo much of the annuities transferrable at the bank of *England*, created in the year one thoufand feven hundred and forty eight, as have not been fubfcribed, purfuant to an act paffed this feffion of parliament, and fhall not be fubfcribed on or before the thirtieth day of *May*, one thoufand feven hundred and fifty, will be redeemed and paid off, on the twenty fifth day of *March*, one thoufand feven hundred and fifty one, agreeable to the claufes and powers of redemption, contained in the act of parliament for creating the faid annuities; that fo much of the annuities transferrable at the bank of *England*, created in the year one thoufand feven hundred and forty nine, as have not been fubfcribed, purfuant to an act paffed this feffion of parliament, and fhall not be fubfcribed on or before the thirtieth day of *May*, one thoufand feven hundred and fifty, will be redeemed and paid off on the twenty ninth day of *September*, one thoufand feven hundred and fifty one, agreeable to the claufes and power of redemption, contained in the feveral acts of parliament for creating the faid annuities refpectively; that fo much of the annuities charged upon wrought plate, and payable at the exchequer, as have not been fubfcribed, purfuant to an act paffed this feffion of parliament, and fhall not be fubfcribed on or before the thirtieth day of *May*, one thoufand feven hundred and fifty, will be redeemed and paid off on the twenty fifth day of *March*, one thoufand feven hundred and fifty one, agreeable to the claufes and powers of redemption contained in the act made in the fixth year of the reign of King *George* the Firft, for laying a duty upon wrought plate; that the fum of four million two hundred thoufand pounds, now due and owing to the united company of merchants trading to the *East Indies*, will be redeemed and paid off in manner and form following, *videlicet*; one million and fifty thoufand pounds, on the twenty fifth day of *March*, one thoufand feven hundred and fifty one; one million and fifty thoufand pounds, on the twenty fourth day of *June*, one thoufand feven hundred and fifty one; one million and fifty thoufand pounds, on the twenty ninth day of *September*, one thoufand feven hundred and fifty one; and the remaining fum of one million and fifty thoufand pounds, on the twenty fifth day of *December*, one thoufand feven hundred and fifty one, unlefs the fum of three million two hundred thoufand pounds be fubfcribed on or before the thirtieth day of *May*, one thoufand feven hundred and fifty: and therefore your faithful commons do moft humbly befeech your Majefty that it may be enacted; and be it enacted by the King's moft excellent majefty by and with the advice and confent of the lords fpiritual and temporal, and commons, in this prefent parliament affembled, and by the authority of the fame, That fuch notices as aforefaid

Notices given  
by the fpeaker,  
&c. to be  
deemed good.

fhall be and be deemed, adjudged, and taken to be good and fufficient notice or notices, within the true intent and meaning of the feveral acts of parliament for the redemption of the faid feveral annuities, and the fame fhall be redeemable accordingly;

ingly; any thing in the same, or any other act or acts of parliament to the contrary in any wise notwithstanding.

II. And be it enacted by the authority aforesaid, That any person or persons, bodies politick or corporate, who now are, or hereafter may be, interested in, or intitled unto, any part of the national debt, incurred before *Michaelmas*, one thousand seven hundred and forty nine, redeemable by law, which now carries an interest of four pounds *per centum per annum*, as hath not been subscribed in pursuance of the said recited act of this present session of parliament; and who do, on or before the thirtieth day of *May*, one thousand seven hundred and fifty, subscribe their names, or signify their consent, to accept of an interest of three pounds *per centum per annum*, to commence from the twenty fifth day of *December*, one thousand seven hundred and fifty five, subject to the same provisos, notices, and clauses of redemption, which their respective four *per cents* are now liable to, shall, in lieu of their present interest, be intitled unto, and receive, an interest of four pounds *per centum per annum*, until the twenty fifth day of *December*, one thousand seven hundred and fifty; and after the said twenty fifth day of *December*, one thousand seven hundred and fifty, an interest of three pounds ten shillings *per centum per annum*, until the twenty fifth day of *December*, one thousand seven hundred and fifty five; and that no part of the same shall be liable to be redeemed, till after the said twenty fifth day of *December*, one thousand seven hundred and fifty five.

III. And be it further enacted by the authority aforesaid, That such part of the national debt, incurred before *Michaelmas*, one thousand seven hundred and forty nine, redeemable by law, which now carries an interest at the rate of four pounds *per centum per annum*, and which shall not be subscribed before the said thirtieth day of *May*, one thousand seven hundred and fifty, shall be redeemed and paid off.

IV. And be it further enacted by the authority aforesaid, That in case the sum of three million two hundred thousand pounds, now due and owing to the united company of merchants trading to the *East Indies*, carrying an interest after the rate of four pounds *per centum per annum*, be not subscribed on or before the said thirtieth day of *May*, one thousand seven hundred and fifty, upon the terms herein before mentioned; then, and in such case not only the said sum of three million two hundred thousand pounds; but also the sum of one million, now due and owing to the said united company, at an interest after the rate of three pounds *per centum per annum*, by virtue of an act of parliament passed in the seventeenth year of his Majesty's reign, shall be redeemed and paid off.

V. Provided nevertheless, and be it further enacted by the authority aforesaid, That in case the said united company shall, on or before the said thirtieth day of *May*, one thousand seven hundred and fifty, signify their consent to the reduction of the interest of four pounds *per centum per annum*, now payable to the

The proprietors subscribing within the time limited, to be allowed an interest after the several rates mentioned.

Such part of the said annuities as shall not be subscribed, to be paid off.

The East India company not subscribing to be paid off.

The East India company subscribing within the time limited, the



are impower-  
ed, with con-  
ſent of the  
treafury, to  
borrow  
4,200,000l. at  
the ſeveral  
rates of inte-  
reſt granted  
by this act,  
&c.

The annuities  
to be free of  
taxes, and  
aſſignable;

the ſaid united company, in reſpect of the ſaid principal ſum of three million two hundred thouſand pounds, to the ſeveral rates of intereſt before mentioned, redeemable by parliament, as aforeſaid, and alſo that the ſaid ſum of one million, due and owing to the ſaid united company, at an intereſt after the rate of four pounds *per centum per annum*, by virtue of the ſaid act of the ſeventeenth year of his Maſteſty's reign, ſhall remain and continue at the ſaid rate of three pounds *per centum per annum*, until the ſame ſhall be redeemed and paid off, according to the proviſo contained in the ſaid act of the ſeventeenth year of his Maſteſty's reign, in that behalf; that then it ſhall and may be lawful to and for the ſaid united company, and they are hereby authorized and impowered by and with the conſent and approbation of the commiſſioners of his Maſteſty's treafury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treafury for the time being, at ſuch time or times, and in ſuch manner, as they ſhall find to be moſt for the advantage of the ſaid united company, to borrow, or take in by ſubſcription, or otherwiſe, from any perſon or perſons, bodies politick or corporate, who are willing to advance the ſame, any ſum or ſums of money, not exceeding in the whole the ſum of four million two hundred thouſand pounds, by ſale of annuities, after the ſeveral rates of intereſt following; that is to ſay, any ſum or ſums, not exceeding three million two hundred thouſand pounds, by ſale of annuities, after the ſeveral rates of intereſt herein before propoſed to be paid, for the ſaid ſum of three million two hundred thouſand pounds, in caſe the ſame ſhall be ſubſcribed on or before the ſaid thirtieth day of *May*, one thouſand ſeven hundred and fifty; and any ſum or ſums, not exceeding one million more, by ſale of annuities, after the rate of three pounds *per centum per annum*; all which ſaid annuities ſhall be paid and payable to the reſpective perſons and corporations intituled thereunto, their executors, adminiſtrators, or aſſigns, at the office of the ſaid united company, out of the ſame duties and revenues, as the preſent annuities payable to the ſaid united company, in reſpect of the ſaid principal ſums of three million two hundred thouſand pounds, and one million, are now payable, and ſhall commence and be paid at ſuch feaſt days, as ſhall be agreed upon between the ſaid united company, and the ſaid ſeveral contributors reſpectively; and that the ſaid ſum of four million two hundred thouſand pounds, ſo to be advanced, or ſo much thereof as ſhall be advanced as aforeſaid, and all and every the annuities payable for or in reſpect of the ſame, ſhall be free of all taxes, charges, and impoſitions whatſoever; and ſhall be aſſignable or transferrable in a book or books to be provided for that purpoſe, in the office of the ſaid united company, in ſuch manner as the ſaid commiſſioners of the treafury, or any three or more of them now being, or the ſaid high treaſurer, or any three or more of the commiſſioners of the treafury for the time being, ſhall direct in that behalf, without fee or gratuity, and free from all charges; and that

That the said annuities shall be deemed and taken to be a personal, and not a real estate, and shall go to the executors or administrators of the person or persons dying possessed thereof, interested therein, or intitled thereunto, and not to the heir at law; subject nevertheless to such or the like proviso or condition of redemption by the publick, as the said sums of three million two hundred thousand pounds, and one million, due to the said company, would be subject, in case such subscription by the said company, on or before the said thirtieth day of *May*, one thousand seven hundred and fifty, and the said sums had then remained due from the publick to the said company.

and a personal estate;

subject to redemption by parliament.

VI. And be it enacted by the authority aforesaid, That the several powers given to the said united company, by several acts of parliament now in force, of raising money by bonds under their common seal for the carrying on the trade of the said company, and lending money on bottomry, and otherwise, as in the said acts, some or one of them is mentioned, shall continue and be in force, but that the amount of the sums which the said united company shall raise by sale of annuities by virtue of this act, as aforesaid, shall be by them applied towards the discharge of their present bond debt; and shall be computed and considered as part of what they are so impowered to borrow.

The powers given to the company of raising money by bonds, &c. continued; the money to go to paying their present bond debt.

VII. And be it enacted by the authority aforesaid, That it shall and may be lawful to and for the King's most excellent majesty, by warrant under his royal sign manual, to authorize and empower the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, to raise by loans or exchequer bills, or by way of subscription, or in such other manner or form as his Majesty shall, in his great wisdom, think most for the advantage of the publick, from any person or persons, bodies politick or corporate, any sum or sums of money, not exceeding such part of the national debt, carrying an interest of four pounds *per centum per annum*, redeemable by law, as hath not been subscribed in pursuance of an act of this session of parliament, and shall not be subscribed according to the proposal herein before mentioned, to be charged on the sinking fund, and to be applied to pay off and redeem such part of the national debt so unsubscribed as aforesaid, upon any terms not exceeding the rate of interest in the foregoing proposal mentioned.

Power given to his Majesty to borrow money on the sinking fund, to pay off unsubscribed annuities.

VIII. And be it further enacted by the authority aforesaid, That the several annuities of four pounds *per centum per annum*, now payable in respect of the said principal sum unsubscribed by the proprietors thereof, and by this act continued to them until the twenty fifth day of *December*, one thousand seven hundred and fifty, as also the several reduced annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, by this act made payable in lieu thereof, from the respective days therein mentioned, shall, during the respective continuances thereof, be paid and payable to the respective persons

The reduced annuities made payable and transferable as the four per cents.

persons and corporations intituled thereunto, their executors, administrators, or assigns, at the same respective offices and places, and out of the same duties, revenues, and incomes, and at such time and times, and shall be assignable, transferrable, and disposable in the same manner and form, as the said annuities of four pounds *per centum per annum* are now payable, assignable, transferrable, and disposable by the respective acts and statutes now in force, for or concerning the same, and as if this present act had never been made; subject nevertheless to redemption by parliament, from the said twenty fifth day of *December*, one thousand seven hundred and fifty five, in manner herein after mentioned; any thing herein contained to the contrary thereof in any wise notwithstanding.

Books to be  
opened for  
taking in the  
subscriptions,

IX. And be it further enacted by the authority aforesaid, That there shall forthwith be prepared and kept in the office of the auditor of the receipt of the exchequer, and also at the respective offices of the governor and company of the bank of *England*, and of the governor and company of merchants of *Great Britain*, trading to the *South Seas*, and for encouraging the fishery, commonly called the *South Sea Company*, a book or books for taking in subscriptions, or receiving the consent of such person or persons as now are or shall be interested in, or intituled unto, any part of the said now unsubscribed annuities or interests, after the said rate of four pounds *per centum per annum*, who are willing to accept of an annuity of three pounds ten shillings *per centum per annum* in lieu thereof, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty five; and of an annuity of three pounds *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty five, to the end the proprietors of the said annuities, after the said rate of four pounds *per centum per annum*, may make their subscriptions, and give their consents, in the said respective book or books, under a proper preface to be prepared for that purpose, by subscribing their respective sums and names, with his, her, or their respective proper additions; which said books shall constantly lie open at the said receipt of exchequer, and other the publick offices aforesaid, for that purpose, every day, (*Sundays* excepted) until the said thirtieth day of *May*, one thousand seven hundred and fifty inclusive, and no longer; and it shall and may be lawful to and for the proprietors of the said annuities of four pounds *per centum per annum*, or such person or persons, as he, she, or they have authorized, or shall respectively authorize and empower, by writing in that behalf, to subscribe or consent for them, in manner aforesaid, to have free access to the said respective books, at all seasonable hours, and they have hereby power to make their subscriptions, or give their consents, for the whole sum or sums due to them, or any of them, according to this act, without any fee or charge whatsoever; and the several and respective officers in the said receipt of exchequer, and other the publick offices

Officers to attend in office  
hours.

offices aforesaid, appointed to take in the said subscriptions, or receive such consents, as aforesaid, shall, during the time aforesaid, constantly attend at the said respective offices for that purpose, at such hours as business is usually transacted at the said several and respective publick offices; and the several and respective officers at the said receipt, and other the publick offices aforesaid, are hereby required to cause publick notice thereof to be forthwith affixed in their respective offices, and at the *Royal Exchange*, and also to publish in the *London Gazette*, that such books are prepared and lie open in the said respective offices for receiving such consent, and taking such subscriptions, as aforesaid.

Notice to be published of the books being opened.

X. And be it further enacted by the authority aforesaid, That all and every person and persons, bodies politick or corporate, who have or shall, on or before the said thirtieth day of *May*, one thousand seven hundred and fifty, have subscribed, or given their consent in the book or books aforesaid, to accept of an interest or annuity after the rate of three pounds ten shillings *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty five; and of an annuity of three pounds *per centum per annum*, to commence from the said twenty fifth day of *December*, one thousand seven hundred and fifty five, in lieu of their present annuities of four pounds *per centum per annum*, shall have, receive, and enjoy, and they are hereby declared to be intitled to an annuity of three pounds ten shillings *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty, until the said twenty fifth day of *December*, one thousand seven hundred and fifty five; and to an annuity of three pounds *per centum per annum*, from the said twenty fifth day of *December*, one thousand seven hundred and fifty five, redeemable by parliament, in manner herein after mentioned; and the said annuities of three pounds ten shillings *per centum per annum*, and three pounds *per centum per annum*, and the principal or capital for which the same shall be payable, are hereby declared, and shall be adjudged, taken, and accepted in construction of law, and in all courts of law and equity whatsoever, to all intents and purposes whatsoever, to be a personal and not a real estate, and shall go to the executors or administrators of the person or persons dying possessed thereof, interested therein, or intitled thereunto, and not to the heirs of such person or persons; any law, statute, custom, or usage to the contrary notwithstanding; and that the said annuities shall be free from all taxes, charges, and impositions whatsoever, in the same manner as they now are.

Subscribers intitled to the several rates of interest mentioned in this act.

Annuities to be a personal estate,

and free from taxes.

XI. And it is hereby enacted and declared, That it shall and may be lawful for all executors, administrators, guardians, trustees, committees of the estates of idiots or lunatics, and the accountant general of the court of chancery, and the deputy remembrancer of his Majesty's court of exchequer, to make, or cause to be made, subscriptions in the said book or books,

Executors, &c. indemnified for not subscribing.

books, ſignifying their conſent to accept an intereſt or annuity of three pounds ten ſhillings *per centum per annum*, from the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty, until the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty ſeven, and of an annuity of three pounds *per centum per annum*, to commence from the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty five, for and on the behalf of their reſpective teſtators, infants, minors, femmes covert, ideots, or lunaticks, and the ſuitors of the court of chancery, and of the ſaid court of exchequer, and others, for whom they are or ſhall be reſpectively intruſted; and ſuch executors, adminiſtrators, guardians, truſtees, committees, and accomptant general, and deputy remembrancer, are, and ſhall be, by virtue of this act, indemnified in and for doing the ſame.

Treasury to  
defray the  
charges of  
this act.

XII. Provided always, and be it further enacted, That the commiſſioners of the treasury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treasury for the time being, ſhall have power, and they are hereby authorized, out of any money remaining in the receipt of the exchequer, of or for the duties, revenues, and incomes appropriated for the payment of the ſaid annuities of four pounds *per centum per annum*, to reward all ſuch perſons as ſhall be any ways employed in the execution of this act, in relation to the taking in ſuch ſubſcriptions, or receiving ſuch conſents as aforeſaid, and to defray all ſuch incident charges, as ſhall neceſſarily attend the execution of the ſaid act, in ſuch manner as to them ſhall ſeem juſt and reaſonable.

Funds appro-  
priated for  
payment of  
the reduced,  
and unſub-  
ſcribed an-  
nuities.

XIII. And it is hereby alſo enacted by the authority aforeſaid, That all the duties, revenues, and incomes which are now appropriated, ſubject, or applicable to the payment of the ſaid annuities of four pounds *per centum per annum*, ſhall, from and after the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty, be ſubject and liable to the payment of ſuch of the ſaid annuities of four pounds *per centum per annum*, as ſhall not be ſubſcribed, in caſe any ſhall be unſubſcribed, and alſo of the ſaid reduced annuities of three pounds ten ſhillings *per centum per annum*, and three pounds *per centum per annum*, in the ſame manner, to all intents and purpoſes, as the ſame were liable and ſubject to the payment of the ſaid annuities of four pounds *per centum per annum*; and all the monies coming into the exchequer, of or for the ſeveral duties, revenues, and incomes, appropriated, ſubject, or liable to the payment of the ſaid unſubſcribed annuities and of the ſaid reduced annuities of three pounds ten ſhillings *per centum per annum*, and three pounds *per centum per annum*, which ſhall be more than ſufficient to anſwer and pay the ſaid reſpective annuities, ſhall, from and after the ſaid twenty fifth day of *December*, one thouſand ſeven hundred and fifty, be applied to the ſame uſes, intents, and purpoſes, and in the ſame manner, as the ſeveral ſurpluſſes, exceſſes, or overplus monies of the ſaid duties, revenues, and incomes are now applicable.

XIV. Pro-

XIV. Provided always, and it is hereby enacted by the authority afore said, That from and after the said twenty fifth day of demption.

*December*, one thousand seven hundred and fifty five, the said reduced annuities of three pounds *per centum per annum*, shall and may be redeemed by parliament, upon giving the same notices, and making the same payments of principal money at a time to such persons or corporations as now are, or hereafter shall be, intituled to the said annuities, and of all arrearages of the said annuities, as are directed to be given and made by the several and respective acts, by which the said several annuities, after the rate of four pounds *per centum per annum*, were made payable, and from and after payment of any such principal money, to the said persons or corporations, as are or shall be intituled to the same, a proportional part of the said annuities shall cease and determine, and be understood to be redeemed; any thing in this or any former act or acts of parliament to the contrary in any wise notwithstanding.

## CAP. XXIII.

An act to continue several laws for preventing the spreading of the distemper which now rages amongst the horned cattle; and for empowering his Majesty to prohibit the killing of cow calves.

## CAP. XXIV.

*An act for the encouragement of the British white herring fishery.*

WHEREAS the carrying on, and improvement of, the British white herring fisheries, are of great importance to these kingdoms, as they may be of great advantage to the trade and navigation thereof, and may be a means of employing and providing for great numbers of industrious poor, provided the same could be carried on with a sufficient stock, under proper regulations, and that reasonable encouragements be given to such persons as are willing to carry on the said fisheries: therefore for the encouragement of such persons as are willing to carry on the said fisheries, and for the better regulation of the said trade, and for preventing frauds and impositions in the management thereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled and by the authority of the same, That it shall and may be lawful for his Majesty, his heirs and successors, by letters patent under the great seal of Great Britain, to incorporate the right honourable Sir Samuel Pennant lord mayor of the city of London; Sir James Lowther baronet, Sir Nathaniel Curzon baronet, Sir Bouchier Wrey baronet, Sir Walter Blacket baronet, Sir Ciril Wych baronet, Sir Richard Lloyd knight, Edward Vernon esquire, William Whitaker, Stephen Theodore Janssen, and Slingsby Bethell, esquires, aldermen of the city of London; lieutenant general Roger Handasyd, lieutenant general Richard Onslow, lieutenant general James Ogleshorpe, Thomas Fonnieau esquire, Velters Cornewall esquire, William Willy esquire, George

See 26 Geo. 2. c. 9.

His Majesty empowered to grant letters patent to incorporate the persons herein mentioned,

*George Doddington esquire, William Northey esquire, Charles Gray esquire, William Davis esquire, Edward Stevenson esquire, Paul Humfrey esquire, John Edwards esquire, Francis Crasseyne esquire, Messieurs Neufville and Schuman, Andrew Drummond esquire, captain George Steevens, Robert Crammond esquire, Jeffery French esquire, Master Michael Miller of Bristol, Master Robert Mackay, Master Jonathan Perry, Master Richard Baker, Master William Bowden, John Bance esquire, Master Peter Symond, Theodore Cock esquire, George Dunbar esquire, Taylor White esquire, Master John Patten, Master Clark of the Old Jewry, Michael Wilkins Conway esquire, Archibald Stuart esquire, John Spooner esquire, Arthur Beardshy esquire, Master Roger Hogg of Basinghall Street, Master William Crammond, Master Hutchinson Muir, Master Robert Scott, Master George Spence, Master Robert Cady, Richard Taunton esquire, William Belchier esquire, William Thornton esquire, Francis Gwyn esquire, Peter Delme esquire, Jonathan Watson esquire, Thomas Salusbury esquire, Richard Gildart esquire, John Hardman esquire, Lawrence Dundass esquire, Thomas Curtis esquire, Michael Beecher esquire, Joseph Percival esquire, Edward Ironside esquire, alderman of the city of London; George Walker esquire, and all and every person and persons, bodies politick and corporate, who, in their own right, or as executors, administrators, successors, or assigns, derived or to be derived from, by, or under, the original proprietors, at any time or times hereafter, shall have, and be intitled to, any part, share, or interest of or in the capital sum of five hundred thousand pounds herein after-mentioned, so long as they respectively shall have any such part, share, or interest therein, to be one body politick and corporate, in deed and in name, by the name of *The society of the free British fishery*; and by that name to have a succession to continue for the term of twenty one years, and to have a common seal, with power, from time to time, to chuse their governor, president, vice president, council, and other officers, in such manner, and under such qualifications, with regard to the electors, and elected, as shall be directed in such letters patent; the first governor, president, vice-president, and council, being qualified in the like manner as all subsequent governors, presidents, vice presidents, and council, shall, by the said letters patent, be directed to be qualified, and to continue in their respective offices for the space of three years, from the date of the said letters patent.*

by the name  
of The Society  
of the free  
British fishery;  
for 21 years.

Society im-  
powered to  
make by-laws;

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty, his heirs and successors, by the said letters patent of incorporation, to empower the said society to make by-laws from time to time, for the regulation and government of the said society; and for the regulation and management of the said trade and commerce which shall be carried on by them; and for the curing, sorting, and packing their white herrings in such manner, as effectually to secure the credit of the said commodities in foreign markets; and for the government of the servants, and others employed by the said society in the said fisheries.

III. And be it further enacted by the authority aforesaid, That and to direct it shall be lawful for the said society, from time to time, to direct what seals or marks they shall think proper to be put on all <sup>what seals or marks shall be put on every</sup> every barrel or cask of their fish; and that if any person or <sup>barrel of fish.</sup> persons whatsoever shall counterfeit such seal or mark, or shall knowingly affix such seal or mark, so counterfeited, to any barrel or cask of fish not belonging to the said society, such persons <sup>Penalty of</sup> shall forfeit and pay the sum of five hundred pounds for each <sup>counterfeiting</sup> offence, to be recovered by action, plaint, or information, in <sup>the same.</sup> any of his Majesty's courts of record at *Westminster*, or in the court of session in that part of *Great Britain* called *Scotland*, the one moiety to be paid to the said society, and the other moiety to be paid to such person or persons as shall sue for the same.

IV. And be it further enacted, That it shall and may be lawful for his Majesty, his heirs and successors, by his said letters patent, to empower the said society, by a voluntary subscription, to raise the sum of five hundred thousand pounds; which said <sup>The society</sup> sum, when so raised, shall be the capital stock of the said <sup>empowered to</sup> society; and to direct how the property of the persons subscrib- <sup>raise a capital</sup> ing may be ascertained, transferred, and alienated. <sup>of 500,000l.</sup>

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for his said Majesty, his heirs and successors, by the said letters patent, to empower the said society, or such part thereof, as shall in the said letters patent be for that purpose named, to make calls, and direct the payment of <sup>and to make</sup> any part of the said sum of five hundred thousand pounds, <sup>calls for pay-</sup> which any person or persons shall subscribe towards carrying on <sup>ment of the</sup> the said undertaking, at such times as the said society, or such <sup>subscriptions.</sup> part thereof as shall be for that purpose named, shall direct and appoint, so as the first payment directed to be made, shall be <sup>The times of</sup> made within the space of thirty days from the time of such sub- <sup>payment, and</sup> scription, and be after the rate of ten pounds by the hundred <sup>the sums.</sup> of the whole sum subscribed, and so as the second payment be after the rate of ten pounds by the hundred of the sum subscribed; and that the other payments be pursuant to the direction of a general court of the said society, which shall be for that purpose assembled, or a majority of them; and in case any person or persons shall refuse or neglect to pay any money which shall be so called for by the said society, at the times when the same shall be appointed to be paid, notice of such call being given in the *London Gazette* by the said society at least thirty days before the day appointed for such payment, it shall be lawful for the said society to sell and dispose of so much of the share or stock of the person, or persons so neglecting or refusing, as shall produce the sum which such person or persons ought to have paid on such call; provided that all such money which shall be so subscribed and directed to be paid, shall be paid into the bank of *England*, on account of the said society. <sup>The society</sup> <sup>may sell the</sup> <sup>shares of those</sup> <sup>who refuse to</sup> <sup>pay, after no-</sup> <sup>tice of call in</sup> <sup>the Gazette.</sup>

VI. And be it further enacted, That for an encouragement to such persons as shall become subscribers to the said stock for carrying on the said fisheries, that the sum of three pounds by <sup>3l. per cent.</sup> <sup>per annum,</sup> <sup>for the sums</sup> <sup>the employed in</sup>



the fishery to  
be paid to the  
society for  
14 years.

the year, for each hundred pounds which shall be actually employed in the said fishery, and proportionably for any greater or lesser sum, shall be paid to the proprietors of the said stock for and during the space of fourteen years from the date of the said charter, out of the customs, by the receiver general of his Majesty's customs, by equal half-yearly payments; and to the end it may be known, what sums shall from time to time be actually expended or employed by the said society in the said fishery, an account shall be delivered to the commissioners of his Majesty's customs of the sums which shall be so expended or employed; and the said account shall be produced by the accountant of the said society, who shall, if required by the commissioners, produce his vouchers, distinguishing the several articles in which the said sums shall be so expended or employed, which account shall be signed by three, at least, of the council of the said society, as an attestation that they have examined the said account, and believe the same to be just; and such account shall also be attested by the oath of the accountant of the said society, that he believes the same to be a just and true account; which oath shall be made before any two commissioners of his Majesty's customs (who are hereby empowered and required to administer the said oath) and shall be wrote at the foot of the said account; and the said oath and account shall be left in the custody of the commissioners, and thereupon they, or any three of the said commissioners, shall make order that payment be made by the receiver general of his Majesty's customs to the said society, or such person as shall be by them empowered to receive the same, after the rate aforesaid, for such sums as by such account shall appear to be so actually employed or expended by the said society, in or on account of the said fishery.

100,000l. to  
be employed  
in the fisheries  
within 18  
months from  
the date of  
the subscrip-  
tion.  
The accounts  
to be laid be-  
fore parlia-  
ment.

VII. Provided, and be it further enacted by the authority aforesaid, That the said society shall employ the sum of one hundred thousand pounds at least in the said fisheries, within the space of eighteen months after the date of such subscription; and that for the manifestation of the sums which shall be so employed by the said society, the accounts of the said society shall be annually laid before parliament; and if loss should arise by any year's adventure, and there should be gain by the succeeding years, the said gain shall be applied so as to complete and make good the vessels and fishing stock, to the full value of the said original sum of one hundred thousand pounds, before any dividend shall be made out of the said gain.

Sums con-  
tracted to be  
paid in 6  
months, deem-  
ed to be em-  
ployed.

VIII. Provided always, and be it enacted by the authority aforesaid, That such sums as shall *bona fide* be contracted to be paid within six months, shall be deemed employed within the sense and meaning of this act, in case so much money of the said company as will be sufficient to answer the said contracts respectively, shall, at the time of making the same, be in the bank of *England*, and there remain for the purpose of paying the same; such contracts being in writing, and signed or executed in the presence of two witnesses.

IX. And be it further enacted by the authority aforesaid, That no transfer shall be made of any of the said stock or share of or in the said five hundred thousand pounds, for the space of five years from the date of the said charter; but that the same shall be absolutely void to all intents and purposes whatsoever.

No transfer to be made of the stock for five years.

X. Provided always, That it shall and may be lawful for the executors and administrators or devisees of any person or persons who shall happen to die possessed of, or interested in any such stock or share of or in the said five hundred thousand pounds, and also for the assignees under any commission of bankrupts, to transfer such stock or shares, and dispose of the produce thereof, in such manner, as they may by law dispose of any other effects of such testator, intestate, or bankrupt.

Executors and assignees of bankrupts, &c. may transfer.

XI. And be it further enacted, That as a further encouragement to all persons whatsoever, as well bodies politick and corporate as others, and also the persons who shall be so incorporated, to engage in the said white herring fisheries, that a bounty of thirty shillings *per ton* shall be paid annually, out of such sums as shall be produced out of his Majesty's customs, to the owner or owners of all decked vessels, from twenty to eighty tons burthen, which shall be built, after the commencement of this act, for the use of the said fisheries, and fitted out and employed in the said fisheries, whether by the said society, or any other person or persons whatsoever, in manner, and under the regulations herein after-mentioned.

30 s. *per ton* bounty to be paid out of the customs, for decked vessels built for the fisheries.

XII. And be it further enacted, That every such bus or vessel, which shall be employed in the said white herring fisheries, by the said society, or whose owners shall be intitled to the bounty of thirty shillings *per ton*, by virtue of this act, shall be a decked bus or vessel, built in *Great Britain*, after the commencement of this act; and shall proceed on the said fishery from some port in *Great Britain*, manned and navigated as by the law now in force is directed: and before such bus or vessel proceed on such voyage, or be intitled to the benefit of this act, she shall be visited by such officer or officers of the customs belonging to such port, who shall be appointed by the commissioners of the customs to examine into such bus or vessel; and who shall take an account of the tonnage thereof by admeasurement, and shall certify such his or their visitation, examination, and admeasurement, to the commissioners of his Majesty's customs, and that she hath on board such a quantity of fishing nets, and other stores to be used in the said fishery, as herein after are mentioned, and otherwise is a proper vessel to be employed in the said fishery: and, upon its further appearing by the oath of one or more owner or owners, or agent appointed by them, or of a proper officer or agent of the said society (who shall be appointed for that purpose) and of the master or chief officer of such vessel, written at the foot of the said certificate, and made before the collector and comptroller of such port, who are hereby empowered and required to administer the same, That it is really and truly their firm purpose and determined resolution,

Conditions of the bounty.

that such bus or vessel shall proceed respectively, so manned, furnished, and accoutred, either to *Brassey's Scund* in *Shetland*, and be at the rendezvous of the said fishery there, on or before the eleventh day of *June*, and shall not shoot or wet their net before the thirteenth day of the said month of *June*, and shall continue following and fishing amongst the shoals of herring, as they move southward, to the first day of *October*, or shall proceed to *Campbell Town* in *Argyllshire*, and be at the rendezvous of the said fisheries, on or before the first day of *September*, and shall continue fishing among the shoals of herring, as they move, to the thirty first day of *December*, unless they shall have sooner completed their loading of fish; and shall fish in an orderly and regular manner, without impeding or obstructing other vessels which shall be employed in the said fishery; and shall keep a journal of their proceedings, and an account of what quantities of fish they shall dispatch away to foreign markets in their jagers or tenders, before they come into port, besides the particular quantity they shall bring into port with them: and if, after such certificate had, and oath made, such owner or owners, or officer or agent of the said society, and master or chief officer of such vessel, as aforesaid, do also become bound, with two sufficient sureties, unto his Majesty, his heirs and successors, in the penalty of such sum as shall be equal to treble the bounty on the tonnage of his vessel, intended by this act (which bond the collector, with the approbation of the comptroller, is hereby required to take, and is to be in force for the space of three years, against the master and his sureties) for the faithful dealing of his said master, and ship's company, in regard to the said vessel and voyage; then and in such case, it shall and may be lawful for the collector and comptroller of such port to give and grant, and they are hereby required to give and grant to the master and owners of such bus or vessel, full licence and authority to proceed on such voyage as aforesaid.

How every vessel employed in the fishery shall be qualified, &c.

XIII. And to prevent any disputes which may arise, whether a vessel be properly qualified and duly fitted out for the herring fishery, according to the true intent and meaning of this act, and intituled to a certificate from the custom-house officers; it is hereby enacted, That every such vessel shall be a decked vessel, built in *Great Britain*, after the commencement of this act, and shall have on board twelve *Winchester* bushels of salt for every last of fish, which such vessel is capable of holding, which salt shall be barrelled up in new barrels, and as many more new barrels as such bus or vessel is capable of carrying, and shall have two fleets of tanned nets, proper for the herring fishery; that is to say, That every such bus or vessel of the burthen of seventy tons, and designed for this fishery, shall on her proceeding to sea, have on board one fleet of fifty nets, each net to be thirty yards full upon the rope, and seven fathoms deep, and so in proportion for any vessels of a greater or lesser tonnage, and be provided with one other fleet of fifty like nets, on board a jag-

ger or tender, which is to attend the ſaid fiſhery, or left on ſhore in a proper place, for the uſe of the ſaid buſs or veſſel.

XIV. And be it further enacted, That every ſuch veſſel of twenty tons, which ſhall be employed in the ſaid fiſhery, ſhall have on board at ſuch of the places aforementioned, as ſhall be appointed for their rendezvous, not leſs than ſix men, and every veſſel of greater burthen, ſhall, over and above the ſix men aforeſaid, have one for every five tons which ſhe ſhall exceed twenty tons.

*Veſſels of 20 tons to have on board 6 men, &c.*

XV. And be it further enacted by the authority aforeſaid, That on the return of ſuch veſſel into any port of *Great Britain*, for her diſcharge, the chief officer of the cuſtoms, or ſuch other officer of the cuſtoms as he ſhall appoint at ſuch port, ſhall immediately repair on board ſuch veſſel, and view the condition of ſuch veſſel and her lading, and certify the ſame, together with their obſervations thereon, and alſo the real tonnage of the ſaid buſs or veſſel, and the ſaid officers are alſo to take an account of the names of the maſter and other perſons on board, and to certify the ſame; and the maſter ſhall make oath before the collector and comptroller of ſuch port (who are hereby impowered and required to adminiſter the ſame) which ſhall be wrote on the back of, or annexed to the licence granted as aforeſaid, and which they are hereby required to deliver up, and what they did in purſuance thereof, that ſuch veſſel was at one of the places before-mentioned, at the time appointed by this act, and has not ſince been on any other voyage, or purſued any other deſign or view of profit, and that they did remain fiſhing according to the direction of this act, and had at the time of their rendezvous the quantity of nets and other ſtores, and number of men herein before directed to be on board the ſaid veſſel and jagger or tender, or left on ſhore as aforeſaid; all which certificate, ſchedule, licence, and oath, together with the account of the fiſh taken by the ſaid veſſel, ſhall be tranſmitted by the collector and comptroller of ſuch port, to the reſpective commiſſioners for that part of *Great Britain*, from whence the buſs or veſſel departed with her licence; and ſuch commiſſioners being fully ſatisfied of the faithful dealings of the maſter, and other perſons employed in ſuch veſſels, with reſpect to ſuch voyage and fiſhing, ſhall, on demand, cauſe payment to be made to the owner or owners, or to his or their aſſigns, by the receiver general of the cuſtoms, the ſum of thirty ſhillings *per* ton, according to the admeaſurement of ſuch veſſel, duly certified as aforeſaid.

*Officer of the cuſtoms to go on board every veſſel at her return; who is to certify the tonnage, and names of the maſter, &c. The maſter to make oath, that his veſſel was at one of the places before-mentioned.*

*Certificate, &c. to be tranſmitted to the commiſſioners from whence the veſſel departed;*

*who are to cauſe payment to be made of 30 s. *per* ton.*

XVI. Provided always, That ſuch bounty of thirty ſhillings *per* ton aforeſaid, ſhall be paid yearly, during the ſpace of fourteen years, from the commencement of this act, and no longer, upon conforming to the regulations of this act.

*Bounty of 30s. *per* ton to be paid yearly for 14 years.*

XVII. Provided alſo, That nothing in this act ſhall be conſtrued to extend to exclude any of his Majeſty's ſubjects, who ſhall not be members of the ſaid ſociety, or employed by them, from fiſhing or carrying on the white herring and cod fiſheries,

*This act not to exclude any of his Majeſty's ſubjects,*

and any other whatsoever, in such manner as they might have done, in case this act had never been made.

XVIII. *And whereas the encouragement above-mentioned ought to be extended, as far as may be, to all the subjects of Great Britain: and whereas the supporting and enriching the cities and towns, being ports, will be for the security and good of the realm, by augmenting the navigation, and strengthening the sea coasts: be it therefore enacted,*

Persons sub-  
scribing  
10,000l. under  
the name of  
*The Fishing  
Chamber,*

who shall send  
their accounts  
to the society  
of London,

shall be inti-  
tled to 3l.  
per cent. per  
annum.

*Fishing Cham-  
bers* not to  
have any pro-  
fit, &c. from  
the trade of  
the society.

Receiver ge-  
neral to pay  
yearly 3l. per  
cent. to the  
society in  
London, who  
are to pay  
over the same  
to the respec-  
tive *Fishing  
Chambers.*

That any number of persons, who shall subscribe ten thousand pounds, or upwards, into the stock of the said society, and shall carry on the said fishery under their own management, and on their own account of profit and loss, conformably nevertheless to the directions of this act, and of the said intended charter, except as to their being obliged to use the marks of the said society, and from the port named by them, if they do subscribe under the name of *The Fishing Chamber* of such city, town, or port respectively; and shall send their account of monies expended in the said fisheries, which account shall be attested by three of the committee, to be appointed by the majority of such subscribers, for managing the matters of the said chamber, and be also signed by a person to be appointed by the majority of such subscribers, to be the accomptant of the said chamber, who shall make oath before one of his Majesty's justices of the peace, that he verily believes the same is a true account, the vouchers whereof he shall produce, if required; the said account shall be transmitted to the governor and council of the said society at *London*; and the accomptant of the said society at *London* shall be impowered, and is hereby required to enter the same, as a sum expended in the said fisheries, by the said society, in the account which he shall deliver in to the commissioners of the customs, as aforesaid; and the said chamber shall be intitled to, and receive yearly, three pounds for every hundred pounds, in the same manner as the society do for any other monies employed in the fishery by the said society, after deducting the necessary charges and expences arising from the receipt of the same.

XIX. Provided also, That such chambers which shall so trade or fish on their own account, shall not have any profit or loss arising from the trade of the said society.

XX. Provided always, That the receiver general of his Majesty's customs shall pay yearly the said sum of three pounds for every hundred pounds, unto the said society in *London*, or to such person or persons, as shall be by them impowered to receive the same; and the said society shall pay over the said yearly sum of three pounds for every hundred pounds, deducting thereout the necessary charges of receiving the same, unto the respective fishing chambers intitled thereto, or to such person or persons as shall, by the said chambers respectively, be impowered to receive the same.

## CAP. XXV.

*in act for making good a deficiency upon the revenue of the office of keeper or clerk of the Hanaper, and for preventing any future deficiency therein, to answer the publick services provided for out of the same; and for augmenting the income of the office of master or keeper of the rolls.*

**W**HEREAS, by an act of parliament made and passed in the twelfth year of the reign of his late majesty King George the First, intituled, An act for relief of the suitors of the high court of Chancery; after reciting (amongst other things) That Fleetwood Dormer, and John Borrett, esquires, both deceased, formerly masters of the said court, and Richard Godfrey, and Edward Conway, esquires, then masters of the same court, had been deficient in answering the money and effects ordered by the court into their hands, and which deficiency, after deducting what should be made and produced out of the estates and effects of the said deficient masters, and the sum of thirty thousand pounds given by his Majesty, on the address of the house of commons, towards the relief of the said suitors, amounted, according to the then computation, to the sum of fifty one thousand eight hundred fifty one pounds, nineteen shillings, and eleven pence farthing, besides several other claims on the offices of four of the said deficient masters remaining, and which, if allowed, would greatly increase the said deficiency; it was, for the relief of the said suitors, and making a provision for payment of their just debts and demands, enacted, That there should be raised, collected, and paid, throughout England, the dominion of Wales, and the town of Berwick upon Tweed, for the term of sixteen years, from the second day of August, one thousand seven hundred and twenty six, for every piece of vellum, parchment, or paper, upon which any original writ (except such original on which a writ of Capias issued) Subpoena, bill of Middlesex, Latitat, writ of Capias, Quo minus, writ of Dedimus Potestatem to take answers, examine witnesses, or appoint guardians, or any other writ whatsoever, or any other process or mandate that should issue out of, or pass the seals of any of the courts at Westminster, courts of great sessions in Wales, courts in counties palatine, or any other court whatsoever holding plea where the debt or damage doth amount to forty shillings, or above, or the thing in demand is of that value, should be ingrossed or written (writs of covenant for levying fines, writs of entry for suffering common recoveries, and writs of Habeas Corpus, always excepted) the sum of six pence; for every piece of vellum, parchment, or paper, upon which any entry of any action in the mayor's and sheriff's courts of London, and in courts in all corporations, and other courts whatsoever, out of which no writs, process, or mandates issue, holding plea where the debt or damage doth amount to forty shillings, or above, shall be ingrossed or written, the sum of six pence; and for every piece of vellum, parchment, or paper, upon which should be ingrossed or written any citation or monition made in any ecclesiastical court, the sum of six pence; and the said sums and duties so to be raised and collected, were thereby appointed to be under the direc-

12 Geo. I. c. 33.

tion and management of the commissioners of the stamp duties; and such provision was made for the levying, receiving, and enforcing the payment of the same, as in the said act is mentioned, expressed, and provided in that behalf: and it was thereby enacted, That the money thereby to be raised and collected, should be paid into the bank of England; and the said court of Chancery was thereby empowered to borrow any sum of money upon the fund thereby granted, not exceeding in the whole the sum of sixty thousand pounds: and it was thereby also enacted, That all the money then deposited, or thereafter to be deposited in the bank, on account of the creditors of the said court of Chancery, or by order of the said court, and all the monies arising by the rates and duties given by the said act, or borrowed thereon, and paid into the bank, should be accounted and taken to be one common and general cash, and should be promiscuously issued and issueable when and as the court of Chancery should direct, for the answering, paying, and clearing the debts and demands of any of the suitors of the said court: and whereas by another act of parliament made in the ninth year of the reign of his present Majesty, intituled, An act for continuing, for the purposes therein mentioned, the additional duties upon stamped vellum, parchment, and paper, laid by an act passed in the twelfth year of the reign of his late majesty King George the First, after taking notice of the said former act, and that upon stating the total deficiency of the said four masters, and the produce of the fund made liable to, and appropriated for payment of the same, it appeared that the deficiency standing out on the eighth day of March, one thousand seven hundred and thirty five, on the offices of the said four masters, was reduced to the sum of twenty four thousand eight hundred ninety one pounds, nine shillings, and ten pence; and that there was due from John Bennett Esquire, one other of the masters of the said court of Chancery, to Humphry Bell a suitor of the said court therein mentioned, the sum of eleven thousand four hundred eighty five pounds, four shillings, and five pence, with interest; and that the said John Bennett had no estate or effects left to satisfy the said debt, or any part thereof; and that it was computed that the duties granted by the former act, would not be sufficient to raise the said two sums of twenty four thousand eight hundred ninety one pounds, nine shillings, and ten pence, and eleven thousand four hundred eighty five pounds, four shillings, and five pence, unless the said duties were farther continued, and the time for raising the same enlarged, it is enacted, That the said duties granted by the said former act, should be continued, and be payable and paid upon the several writs and law proceedings therein mentimed, for the farther term of four years, to be computed from the second day of August, one thousand seven hundred and forty two; and that out of the money which had arisen, and been collected by and out of the duties directed to be levied by the said former act, the said sum of eleven thousand four hundred eighty five pounds, four shillings, and five pence, should be issued and paid out of the general and common cash of the bank, when and as the said court of Chancery should direct, in satisfaction of the said debt due from the said John Bennett; and as soon as it is thereby provided, enacted, and declared. That the said court and as soon

as the deficiency of the suitors money thereby, and by the said former act directed and appointed to be answered and paid, and all money to be borrowed on the credit of the same, if necessary, should have been fully paid and satisfied; then, and from thenceforth, all the surplus money which should have been raised out of the said duties, given, granted, and continued by the said above-mentioned acts, over and beyond what should be sufficient for answering such deficiency, and money lent, should be reserved for the benefit of the publick, and should not be applied to any other use or uses than such as should be thereafter directed by parliament: and whereas the said deficiency, and all the money provided and directed to be paid by the said former acts, or either of them, by and out of the fund thereby appropriated for that purpose, have been fully paid and satisfied, and there now remains in the bank of England as a surplus of the said fund unapplied, the sum of thirteen thousand six hundred ninety eight pounds, one shilling, and eleven pence, subject to the disposition of parliament: and whereas the office of keeper or clerk of the Hanaper in Chancery is a very ancient office, held and enjoyed by grant from his Majesty's royal predecessors, Kings and Queens of this realm; and the yearly revenue thereof, consisting of several certain yearly rents or sums, reserved upon grants made by the crown of the several offices, commonly called the Seal or Green Wax Office, the Alienation Office, and the Six-penny Writ Office, in Chancery (the grant of which last-mentioned office is now expired and determined) and also of fees paid upon grants, commissions, and other patents passing under the great seal, which are uncertain and contingent, hath constantly been issued and applied in and for the payment of several ancient fees, salaries, and allowances, belonging to the lord chancellor, or lord keeper of the great seal, the master of the rolls, the masters in Chancery, clerk of the parliaments, and other officers attending the parliament and great seal, and of several bills and disbursements always paid and allowed out of the revenues of the Hanaper office: and whereas the office of master or keeper of the rolls, is an office of great trust and consequence to the publick, and the revenue belonging thereto is not adequate to the trouble, dignity, and importance of the said office: and whereas the income or revenue of the said office of the Hanaper, hath not for several years last past been sufficient to answer and pay the several fees, salaries, allowances, and disbursements, issuing and payable out of the same; and there remained due and in arrear, at Michaelmas, one thousand seven hundred and forty nine, to the several persons claiming and intitled to such fees, salaries, allowances, and disbursements respectively, several sums of money, amounting together to the sum of ten thousand five hundred ninety pounds, twelve shillings, and eleven pence; and as the revenue of the Hanaper office will, in all probability, still continue to be deficient, not only the present debt upon the said office will be lost, but the services to which the same for the future are to be applied, will remain unprovided for: wherefore, and in order to make a provision for the payment of the said debt, and arrears incurred upon the Hanaper office; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this



Out of the sum  
of 13,698 l.  
2s. 11d. sur-  
plus unappli-  
ed,

10,590 l. 12s.  
11d. is to be  
paid to the  
creditors of  
the Hanaper,  
as the court  
of Chancery  
shall direct.

Certificates of  
the draughts  
for payment  
to be transmit-  
ted to the clerk  
of the Hana-  
per, &c.

Certificates to  
be filed, and  
the vouchers  
delivered to  
the auditor.

Duties payable  
upon writs,  
&c. granted  
by 12 Geo. 1.  
continued for  
ever;

this present parliament assembled, and by the authority of the same, That out of the said sum of thirteen thousand six hundred ninety eight pounds, one shilling, and eleven pence, now remaining in the bank of *England*, as the surplus unapplied, of the fund given and granted by the said former acts of parliament, for the purposes therein mentioned, and so reserved for the disposition of parliament as aforesaid, there shall be issued and paid such sums of money, not exceeding in the whole the said sum of ten thousand five hundred and ninety pounds, twelve shillings, and eleven pence, herein before-mentioned, to be due and in arrear at *Michaelmas*, one thousand seven hundred and forty nine, to the creditors upon the office of keeper or clerk of the *Hanaper* as aforesaid, when, and as the court of *Chancery* shall order and direct, in satisfaction of the said debt, and arrears to the several persons intitled to the same respectively; and as often as the accomptant general of the said court shall, in pursuance of any such order of the said court, give a draught upon the bank of *England*, for any of the said debts or arrears, certificates thereof from the said accomptant general (which certificates he is hereby required to make without fee or reward) shall be transmitted to the keeper or clerk of the *Hanaper*, together with proper vouchers of the payment of the said debts and arrears, specifying to whom such payments shall have been made, and to what time the same shall extend, to the end the same may be brought into the account of the keeper or clerk of the *Hanaper*, to be by him passed before one of the auditors of the said revenue; and all such certificates shall, from time to time, be filed in the said office of keeper or clerk of the *Hanaper*, and the vouchers to be transmitted therewith, are to be delivered over to the said auditor

II. And your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, being desirous to provide for and supply any future deficiency of the income and revenue of the said *Hanaper* office, to answer the several services aforesaid, and to discharge the several tees, salaries, and allowances, issuing and payable out of the said revenue; and being also desirous to augment the revenue of the office of master or keeper of the rolls; do give and grant unto your Majesty, for the purposes aforesaid, the several duties granted by the said first recited act, upon the several writs and law proceedings therein mentioned, to be respectively applied and disposed of, in the manner, and for the purposes herein after-mentioned, expressed, and declared; and therefore do most humbly beseech your Majesty, that it may be enacted; and be it further enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said duties granted by the said act of the twelfth year of the reign of his late Majesty, for the term of sixteen years, and continued by the said act of the ninth year of the reign of his present Majesty, for the farther term of four years, and

and which expired in the month of *August*, one thousand seven hundred and forty six, shall be, and the same are hereby revived, and shall by virtue of this act be payable and paid upon the several writs and law proceedings in the said former acts mentioned, (from the twenty fourth day of *June*, which shall be in the year of our Lord one thousand seven hundred and fifty, for ever; and that all the penalties, powers, remedies, provisions, and directions in the said former acts provided and contained, for and concerning the raising, levying, collecting, securing, and managing the same, and defraying the expences thereof, shall be revived, and be, from time to time, and at all times from thenceforth, applied, exercised, practised, and executed, as fully to all intents and purposes, as if the same had been or were in this act repeated, and again particularly enacted.

to commence  
from 24 June,  
1750.

III. And it is hereby further enacted by the authority aforesaid, That all and every the officer and officers, who shall be concerned in the raising, levying, collecting, receiving, managing, and applying the duties arising by virtue of and under this act, shall and do keep separate and distinct accounts thereof, and pay the same into the receipt of his Majesty's exchequer at *Westminster*, weekly on every *Wednesday*, unless it be an holy-day; and in that case on the next day after which shall not be an holy-day.

Officers to  
keep distinct  
accounts of  
the duties,  
and to pay the  
same into the  
exchequer  
weekly.

IV. And be it further enacted by the authority aforesaid, That there shall be provided and kept in the said exchequer a book or books, wherein a separate and distinct account of all the money to be paid in weekly in pursuance of this act, shall be entered and kept, and that out of the money arising and to be produced, by and from the duties granted by this act, and hereby directed to be paid into the said receipt of exchequer as aforesaid, there shall be issued and paid unto the keeper or clerk of the *Hanaper* office for the time being, or his deputy, a yearly sum not exceeding the sum of three thousand pounds of lawful money of *Great Britain*, by equal half-yearly payments, at or on the twenty fifth day of *March*, and twenty ninth day of *September*, in every year, the first payment thereof to begin and to be made, at or on the twenty ninth day of *September*, which will be in the year of our Lord one thousand seven hundred and fifty (for the issuing of which yearly sum, no fee or gratuity whatsoever shall be demanded or taken) and that the receipt or receipts of the keeper or clerk of the *Hanaper* for the time being, or his deputy, shall from time to time, be a sufficient and effectual discharge for the same.

Books to be  
kept for enter-  
ing the monies  
arising by the  
duties.

3,000*l.* to be  
paid yearly  
out of the  
same to the  
clerk of the  
Hanaper,  
half-yearly.

V. And be it further enacted, That the residue of the said thirteen thousand six hundred ninety eight pounds, one shilling, and eleven pence, surplus cash in the bank of *England*, after satisfaction of the said debt, due from the keeper or clerk of the *Hanaper* in *Chancery*, at *Michaelmas* one thousand seven hundred and forty nine, as aforesaid, shall be placed out at interest on government securities, under the direction of the said court of *Chancery*, in the name and with the privy of the accountant general

Residue to be  
put out at in-  
terest, on go-  
vernment se-  
curities;

the interest to  
be paid to the  
clerk of the  
Hanaper.

general of the said court, and placed to the account of the keeper or clerk of the *Hanaper* in *Chancery*, and that the interests or dividends, and yearly proceed arising therefrom, be, from time to time, paid to the keeper or clerk of the *Hanaper* for the time being, or his deputy, in order to be applied in aid of the said revived duties, to make good the said annual sum of three thousand pounds, granted to his Majesty out of the said duties as aforesaid, and that the receipt or receipts of the keeper or clerk of the *Hanaper* for the time being, or his deputy, shall, from time to time, be a sufficient and effectual discharge for the same.

The said yearly  
sums and  
interest, to be  
accounted for  
as part of the  
revenue of the  
Hanaper;

and 1,200 l.  
to the master  
of the rolls.

VI. And it is hereby further enacted, That the said yearly sum of three thousand pounds, so to be paid to, and received by the keeper or clerk of the *Hanaper* for the time being, or his deputy as aforesaid, and also the yearly interest, dividends, and proceed, which shall arise or be produced from the surplus cash in the bank of *England*, as aforesaid, shall, from time to time, as the same shall come in and be received, be issued, paid, applied, and accounted for, together with and as part of the ordinary income and revenue of the *Hanaper* office, to and for such and the same ends, intents, and purposes, and in such and the same manner, as the income and revenue of the said office hath, from time to time, been issued, paid, applied, and accounted for; and also for the payment of the yearly sum of twelve hundred pounds, to the master or keeper of the rolls for the time being, by equal half-yearly payments, at or on the twenty fifth day of *March*, and the twenty ninth day of *September* in every year, the first payment thereof, to begin and be made at or on the twenty ninth day of *September*, which will be in the year of our Lord one thousand seven hundred and fifty.

Clerk of the  
Hanaper to  
account for  
surplusses.

VII. And be it further enacted, That in case the yearly income and revenue of the said office of keeper or clerk of the *Hanaper* augmented by virtue of this present act, shall, at any time or times hereafter be more than sufficient to answer and pay the said yearly sum of twelve hundred pounds to the master or keeper of the rolls for the time being, and also the several fees, salaries, and allowances paid and payable out of the same as aforesaid, then, and in such case, the said keeper or clerk of the *Hanaper* for the time being, shall be accountable for such overplus, and upon a certificate thereof from one of the auditors of the imprest (which certificate such auditor is hereby authorized and required, from time to time, in every such case, to make and transmit to the lord high treasurer, or commissioners of the treasury for the time being) such overplus shall, from time to time, as often as it shall so happen, be carried on to the account of the subsequent year of the said keeper or clerk of the *Hanaper*, who shall stand charged therewith, in such subsequent account, and only so much of the said yearly sum of three thousand pounds shall be paid to the said keeper or clerk of the *Hanaper*, or his deputy, for and towards the next subsequent payment or payments,

ments, as with such overplus to be ascertained by such certificate as aforesaid, will be sufficient to answer and pay the said yearly sum of twelve hundred pounds to the master or keeper of the rolls for the time being, and the several fees, salaries, and allowances paid and payable out of the same.

VIII. And it is hereby further enacted, That in case the yearly income and revenue of the said office of keeper or clerk of the *Hanaper*, augmented by virtue of this present act as aforesaid, shall, at any time or times hereafter, fall short or prove deficient to answer and pay the said yearly sum of twelve hundred pounds, to the master or keeper of the rolls for the time being, and the several fees, salaries, and allowances paid and payable out of the same as aforesaid, then and in such case, from time to time, as it shall so happen, it shall and may be lawful to and for the lord high treasurer, or commissioners of the treasury, or any three of them for the time being, out of any money that is or shall be in the exchequer, that hath arisen or shall arise, by and from the said revived duties granted and directed to be paid by this act, not otherwise applied by parliament, to direct such sum and sums of money not exceeding what shall have been saved in former years, by less having been paid to the said keeper or clerk of the *Hanaper* or his deputy, than the annual sum of three thousand pounds as aforesaid, to be issued and paid unto the keeper or clerk of the *Hanaper* for the time being, or his deputy, as shall be necessary for the answering and supplying such deficiency, so from time to time happening, to be ascertained by a certificate from one of the auditors of the imprest, to be directed to the lord high treasurer or commissioners of the treasury in that behalf, in the manner aforesaid, and that the receipts of such keeper or clerk of the *Hanaper* or his deputy, shall be a good and sufficient discharge for all such sum and sums of money as shall be so issued and paid as aforesaid.

Deficiencies in the Hanaper office, how to be made good.

IX. Provided always, and it is hereby enacted and declared, That in case the said revived duties, and the interest or yearly proceed of the said surplus cash in the bank of *England*, shall in any one year produce less, and in another more than the sum of three thousand pounds, then, and in such case, from time to time, as it shall so happen, it shall and may be lawful to and for the lord high treasurer, or commissioners of the treasury, or any three of them, for the time being, to order such deficiencies to be made good out of such surplusses, so as the whole money to be issued, paid, and applied to the keeper or clerk of the *Hanaper* or his deputy, out of the said monies arising from the said revived duties, and the interest and yearly proceed of the said surplus cash in the bank of *England*, do not one year exceed the yearly sum of three thousand pounds, assigned to be provided for the said office by this act.

Deficiencies of one year to be made good out of the surplusses of another year.

X. And it is hereby further enacted, That all the residue and surplus of the money arising by the duties and other provisions, given, granted, made, or directed by this act, which shall, from time to time remain after, and shall not be issued and applied

The surplus of the duties to be disposed of by parliament.

in and for the payment of the several yearly and other sums of money hereby directed to be issued and paid as aforesaid, shall be, and the same is hereby reserved for the benefit of the publick, and shall not be applied to any other use or uses, than such as shall be hereafter directed by parliament.

## C A P. XXVI.

*An act to continue several laws for the better regulating of pilots, for the conducting of ships and vessels from Dover, Deal, and Isle of Thanet, up the rivers of Thames and Medway; and for permitting rum or spirits of the British sugar plantations to be landed before the duties of excise are paid thereon; and to continue and amend an act for preventing frauds in the admeasurement of coals within the city and liberty of Westminster, and several parishes near thereunto; and to continue several laws for preventing exactions of occupiers of locks and weirs upon the river Thames westward; and for ascertaining the rates of water carriage upon the said river; and for the better regulation and government of seamen in the merchants service; and also to amend so much of an act made in the first year of the reign of King George the First, as relates to the better preservation of salmon in the river Ribble; and to regulate fees in trials at assizes, and Nisi Prius, upon records issuing out of the office of pleas of the court of Exchequer; and for the apprehending of persons in any county or place, upon warrants granted by justices of the peace in any other county or place; and to repeal so much of an act made in the twelfth year of the reign of King Charles the Second, as relates to the time during which the office of excise is to be kept open each day, and to appoint for how long time the same shall be kept open upon each day for the future; and to prevent the stealing or destroying of turnips; and to amend an act made in the second year of his present Majesty, for better regulation of attornies and solicitors.*

**W**HEREAS the laws herein after-mentioned (which have by experience been found useful and beneficial) are near expiring; may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That an act made in the third year of the reign of his late Majesty, intituled, *An act for the better regulating of pilots for the conducting of ships and vessels from Dover, Deal, and Isle of Thanet, up the river of Thames and Medway; which was to* continu

continue in force for ſeven years, and from thence to the end of the then next ſeſſion of parliament; and alſo a clauſe for further regulating the pilots of *Dover*, *Deal*, and the *Iſle of Thanet*, in an act paſſed in the ſeventh year of the reign of his late Ma-  
 jeſty, which was to be in force during the continuance of the ſaid act of the third year of his ſaid late Maſteſty's reign; which ſaid act, together with the ſaid clauſe, were, by an act made in the tenth year of the reign of his ſaid late Maſteſty, continued in force for the further term of eleven years, and from thence to the end of the then next ſeſſion of parliament; and which ſaid act, together with the ſaid clauſe, were, by an act made in the eighth year of his preſent Maſteſty's reign, further continued until the twenty fifth day of *March*, one thouſand ſeven hundred and forty nine, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame are hereby further continued, from the expiration thereof, until the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty four, and from thence to the end of the then next ſeſſion of parliament, 7 Geo. 1. c. 21. f. 14. 10 Geo. 1. c. 17. 8 Geo. 2. c. 21. further continued to 25 March, 1764.

II. And be it further enacted by the authority aforeſaid, That ſo much of an act made in the fifteenth and ſixteenth years of his preſent Maſteſty's reign, intituled, *An act to impower the importers or proprietors of rum or ſpirits of the Britiſh ſugar plantations to land the ſame before payment of the duties of exciſe charged thereon, and to lodge the ſame in warehouses at their own expence; and for the relief of Ralph Barrow in reſpect to the duty on ſome rock ſalt loſt by the overflowing of the rivers Weaver and Dane*, as relates to the landing of rum or ſpirits of the *Britiſh ſugar plantations*, before payment of the duties of exciſe, and to the lodging of the ſame in warehouses at the expence of the importers or proprietors thereof; which was to continue in force until the twenty ninth day of *September*, one thouſand ſeven hundred and forty nine, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued, from the expiration thereof, until the twenty ninth day of *September*, one thouſand ſeven hundred and fifty ſeven, and from thence to the end of the then next ſeſſion of parliament, Part of 15 Geo. 2. c. 25. relating to the landing of rum, &c. before payment of the duties, continued to 29 Sept. 1757.

III. And be it further enacted by the authority aforeſaid, That an act made in the nineteenth year of the reign of his preſent Maſteſty, intituled, *An act more effectually to prevent the frauds and abuſes committed in the admeaſurement of coals within the city and liberty of Weſtminſter, and that part of the duchy of Lancaſter adjoining thereto, and the ſeveral pariſhes of Saint Giles in the Fields, Saint Mary le Bon, and ſuch part of the pariſh of Saint Andrew Holborn, as lies in the county of Middleſex*, which was to continue in force from the twenty fourth day of *September*, one thouſand ſeven hundred and forty ſix, for the term of three years, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued, from the expiration thereof, until the twenty fourth day of *December*, one  
 19 Geo. 2. c. 35. continued to 24 Dec. 1750. Further continued by 24 Geo. 2. c. 57. f. 12.

one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament.

Penalty on the principal land coal-meters, not stationing labouring coal-meters; and on the labouring coal-meters not attending.

IV. And whereas by the said act no penalty is laid either upon the principal land coal-meters, in case they shall neglect to station the labouring coal-meters at all the several wharfs within the limits described in the said act, or upon the said labouring coal-meters, in case they shall neglect to attend and perform their duty at such wharfs as in the said act is directed: for remedy whereof, be it enacted by the authority aforesaid, That if the said principal land coal-meters, or either of them, shall neglect to station labouring coal-meters at all the said respective wharfs, on the days, and at the times, which by the said act are specially directed, such principal land coal-meters, or either of them, so neglecting, shall, for every such offence, forfeit the sum of ten pounds; and if any labouring coal-meter or coal-meters so stationed by the principal land coal-meter or coal-meters at any wharf, as aforesaid, shall not attend and perform his or their duty, at the time, and in such manner, as by the said act is specially directed, such labouring coal-meter or coal-meters shall, for every such offence, forfeit the sum of forty shillings; which said several penalties of ten pounds, and forty shillings, shall be recovered, levied, and applied, in the like manner as any other penalty is directed to be recovered, levied, and applied by the said act.

V. And be it further enacted by the authority aforesaid, That an act made in the third year of the reign of his present Majesty, intituled, *An act for reviving and amending an act made in the sixth and seventh years of the reign of his late majesty King William the Third, intituled, An act to prevent exactions of the occupiers of locks and wears upon the river Thames westward; and for ascertaining the rates of water carriage upon the said river; which was to continue in force from the first day of May, one thousand seven hundred and thirty, for the term of nine years, and from thence to the end of the then next session of parliament; and which, by another act made in the thirteenth year of the reign of his present Majesty, was further continued until the first day of June, one thousand seven hundred and forty seven; and which, by another act made in the twentieth year of the reign of his present Majesty, was further continued until the first day of June, one thousand seven hundred and forty nine; and which, by another act made in the twenty second year of the reign of his present Majesty, was further continued until the first day of June, one thousand seven hundred and fifty, shall be, and the same is hereby further continued from the expiration thereof, until the first day of June, one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament.*

VI. And be it further enacted by the authority aforesaid, That an act made in the second year of his present Majesty's reign, (intituled, *An act for the better regulation and government of seamen in the merchants service*) which was to be in force for five years, from the twenty fourth day of June, one thousand seven hundred and

13 Geo. 2.  
c. 18.

20 Geo. 2.  
c. 47.

22 Geo. 2.  
c. 46.  
continued to  
1 June, 1751.  
E X P. See

24 Geo. 2. c. 8.

2 Geo. 2. c. 36.

hundred and twenty nine, and from thence to the end of the then next ſeſſion of parliament, and which act was by an act made in the eighth year of the reign of his preſent Maſteſty, ſur-<sup>8 Geo. 2. c. 21.</sup> ther continued until the twenty fifth day of *March*, one thou-<sup>continued to</sup> ſand ſeven hundred and forty nine, and from thence to the end<sup>25 March,</sup> of the then next ſeſſion of parliament, ſhall be, and the ſame is<sup>1764.</sup> hereby further continued, from the expiration thereof, until the twenty fifth day of *March*, one thouſand ſeven hundred and ſixty four, and from thence to the end of the then next ſeſſion of parliament.

VII. *And whereas by an act of parliament made in the firſt year of* <sup>1 Geo. 1. c. 18.</sup> *the reign of his late Maſteſty King George the Firſt, (intituled, An act* <sup>f. 14.</sup> *for the better preventing freſh fiſh taken by foreigners, being imported into this kingdom; and for the preſervation of the fry of fiſh; and for the giving leave to import lobſters and turbot in foreign bottoms; and for the better preſervation of ſalmon within ſeveral rivers, in that part of this kingdom called Eng- land) all perſons whatſoever were reſtrained under the penalties, for- feitures, and puniſhments therein mentioned, from taking, killing, de- ſtroying, or wilfully hurting ſalmon of any kind or ſize whatſoever, in the river Ribble in the county of Lancaſter, and other rivers there- in particularly named, between the laſt day of July, and the twelfth day of November, for ever; which reſtraint hath been found incon- venient as to the ſaid river Ribble, by reaſon that the time limited for reſtraining the taking fiſh therein, is not properly ſuited or adapted to the fiſhing ſeaſons there, ſo as to anſwer the intention of the ſaid act, but it would be much more advantageous to the ſalmon fiſheries in that river, if perſons were reſtrained from taking, killing, deſtroy- ing, or wilfully hurting any ſalmon in the ſaid river Ribble, betwixt the fourteenth day of September, and the ſecond day of January year- ly, and were at liberty to take and kill the ſame the remainder of the year; be it therefore enacted by the authority aforeſaid, That Liberty given it ſhall and may be lawful to and for the reſpective owners and to take ſalmon proprietors of the fiſheries and fiſhings in the ſaid river Ribble, in the river Ribble, and every other perſon or perſons intitled to fiſh therein, and Ribble, be- their and every of their leſſees, tenants, ſervants, and agents, tween 1 Jan. and every of them, at any time or times hereafter, betwixt the yearly. firſt day of January, and fifteenth day of September, in any year, to take and kill by any lawful ways or means whatſoever, any ſalmon, ſalmon peal, or ſalmon kind, in their reſpective fiſhe- ries and places within the ſaid river Ribble, and to ſell any of the fiſh ſo taken between the times aforeſaid; any thing in the ſaid recited act, or any other act, to the contrary notwith- ſtanding.*

VIII. *And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever ſhall at any time here- Penalty of tak- ing ſalmon in after, between the fourteenth day of September, and ſecond day the ſaid river out of the time limited. of January for ever, by or with any net, device, engine, ways or means whatſoever, take, kill, deſtroy, or wilfully hurt, any ſalmon of any kind or ſize whatſoever, in the ſaid river Ribble, ſuch perſon or perſons ſhall incur, and be ſubject to ſuch and*



the same penalties, forfeitures and punishments as were by the said recited act inflicted upon persons taking, killing, destroying, or wilfully hurting salmon in the said river, betwixt the last day of *July*, and twelfth day of *November*, and shall be proceeded against and convicted thereof, in the same manner, as by such recited act is for that purpose directed.

The said act continued.

IX. Provided always, and it is hereby declared, That all and every the clauses, articles, matters, and things contained in the said recited act (save the alteration hereby made in the times of taking, and being restrained from taking salmon in the said river *Ribble* as aforesaid) shall be and remain in full force; any thing herein contained to the contrary notwithstanding.

X. *And where the taking of larger fees by the officers of assize and Nisi Prius, in the respective circuits of this kingdom, upon records issuing out of the office of pleas of his Majesty's court of Exchequer at Westminster, between party and party, than are taken on such records issuing out of any other court, is a grievance to the subject*; be it enacted by the authority aforesaid, That from and after the twenty fourth day of *June*, one thousand seven hundred and fifty, no officer or other person whatsoever shall demand, take, or receive any greater or other fees upon such records, issuing out of the said office, than are taken upon records in causes of the like nature, issuing out of the courts of *King's Bench* and *Common Pleas* at *Westminster*.

Fees upon *Nisi Prius* records issuing out of the exchequer, to be the same as in other courts.

If an offender escape out of the jurisdiction of the justice who issued his warrant, 24 Geo. 2. c. 55. the justice where he shall have escaped, may indorse the warrant, &c.

XI. *And whereas it frequently happens that persons against whom warrants are granted by the justices of the peace, for the several counties within this kingdom, escape into other counties or places out of the jurisdiction of the justices of the peace granting such warrants, and thereby avoid being punished for the offences wherewith they are charged*: for remedy whereof, be it enacted by the authority aforesaid, That from and after the twenty fourth day of *June*, one thousand seven hundred and fifty, in case any person against whom a legal warrant shall be issued, by any justice or justices of the peace for any county, riding, division, city, liberty, town, or place within this kingdom, shall escape or go into any other county, riding, division, city, liberty, town, or place out of the jurisdiction of the justice or justices granting such warrant as aforesaid, it shall and may be lawful for any justice of the peace of the county, riding, division, city, liberty, town, or place to which such person shall have gone or escaped, to indorse such warrant, upon application made to him for that purpose, and to cause the person against whom the same shall have been issued, to be apprehended and sent to the justice or justices who granted such warrant, or to some other justice or justices of the county, riding, division, city, liberty, town, or place, from whence such person shall have gone or escaped, to the end that he or she may be dealt with according to law; any law or usage to the contrary notwithstanding.

22 Car. 2. c. 24. s. 22.

XII. *And whereas by an act of parliament passed in the twelfth year of the reign of King Charles the second, (intituled, An act for taking away the court of wards and liveries, and tenures in-Capitum*

rite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof) it was enacted, That the office of excise in all places where it shall be appointed, shall be kept open from eight of the clock in the morning, till twelve of the clock at noon, and from two of the clock in the afternoon, till five of the clock in the afternoon, for the due execution and performance of all and every the matters and things in the said act appointed and required: and whereas the limitations and restrictions of time in the said act mentioned, for transacting the business in the said office, have been found very inconvenient, and attended with extraordinary expences to the several persons who are charged with the payment of the duties, relating to the revenues under the management of the commissioners of excise: therefore for the future, be it further enacted by the authority aforesaid, That the said clause herein before recited shall, from and after the tenth day of May, one thousand seven hundred and fifty; and the same is hereby enacted and declared to be from thenceforth repealed; and that the said office shall, from and after the said tenth day of May, one thousand seven hundred and fifty, be kept open from eight of the clock in the morning, till two of the clock in the afternoon, and no longer.

The excise office to be kept open from 8 o'clock till 2.

XIII. And whereas great quantities of turnips have of late years been stolen and taken away by idle and ill-disposed persons, from the grounds of several farmers, and others growing turnips, to the great loss and damage of the owners of the said turnips; for remedy whereof, be it further enacted by the authority aforesaid, That if any person or persons shall, from and after the twenty fourth day of June, one thousand seven hundred and fifty, steal and take away, or maliciously pull up and destroy any turnips, growing or being in any lands or grounds belonging to any person or persons, and shall be thereof convicted before any one or more justice or justices of the peace for the county, town, or place, where the said offence shall be committed, either by confession of the party offending, or by the oath of one or more person or persons (and which oath such justice or justices is and are hereby authorized and empowered to administer) every person so offending, and being convicted of such offence, in manner herein before-mentioned, shall, for the first offence, give and pay to the owner or owners of the turnips so stolen, pulled up, or destroyed, such satisfaction for his or their damage thereby sustained, and within such time, as the said justice or justices shall appoint; and shall over and above pay down upon such conviction, unto the overseers of the poor of the parish where the offence or offences was or were committed, for the use of the said poor, such sum of money not exceeding ten shillings, as to the said justice or justices shall seem meet; and if any such offender or offenders shall not make such recompence or satisfaction to the said owner or owners, and also pay such sum to the use of the poor, in manner and form aforesaid, then the said justice or justices shall and may commit the said offender or offenders to the house of correction, for any space not exceeding one month, or

Penalty on persons stealing or destroying turnips growing in private grounds.

shall and may order such offender or offenders to be whipped by the constable, as to the said justice or justices shall seem meet; and if any such person or persons shall again commit the like offence, and be thereof convicted as aforesaid, then he, she, or they, so offending the second time, and being thereof convicted as aforesaid, shall be committed to the house of correction for three months.

Limitation of the prosecution.

XIV. Provided always, That no person or persons shall be prosecuted for any such offence of stealing, pulling up, or destroying of turnips, unless such prosecution be begun within thirty days after the offence committed.

2 Geo. 2.  
c. 23. s. 20.

XV. *And whereas by an act of parliament made and passed in the second year of the reign of his present Majesty, (intituled, An act for the better regulation of attornies and solicitors) it was enacted, That from and after the first day of December, one thousand seven hundred and thirty, any person who should be sworn, admitted, and inrolled to be an attorney in any of his Majesty's courts of King's Bench, Common Pleas, Exchequer, counties palatine of Chester, Lancaster, and Durham, and great sessions in Wales, as is therein directed, might be sworn, admitted, and inrolled to be a solicitor in all or any of the courts of equity, in the said act specified, without any fee for the oath, or any stamp to be impressed on the parchment, whereon such admission should be written, if the master of the rolls, two masters of the Chancery, the barons of the court of Exchequer, the chancellor of the dutchy of Lancaster, and the judges of the other courts of equity, in the said act mentioned for the time being, or any of them respectively, should, upon examining such attorney, touching his fitness and capacity to act as a solicitor in courts of equity, be satisfied that such attorney is duly qualified to be so admitted; but there being no provision made in the said in part recited act, for admitting persons (who had been, or shall be sworn, admitted, and inrolled solicitors of any of the courts of equity in the said act mentioned) attornies of any of his Majesty's courts of law therein also mentioned, although such solicitor should be duly qualified in all other respects; wherefore, and to supply such omission, be it enacted by the authority aforesaid, That from and after the second day of May, one thousand seven hundred and fifty, any person who hath been already, or who at any time or times hereafter shall be sworn, admitted, and inrolled a solicitor in any of his Majesty's courts of equity at Westminster, in such manner as by the said act is directed, may be sworn, admitted, and inrolled to be an attorney of his Majesty's court of King's Bench or Common Pleas at Westminster, without any fee for the oath, or any stamp to be impressed on the parchment whereon such admission shall be written (his having been sworn, admitted, and inrolled a solicitor in any of the courts of equity afore-mentioned notwithstanding,) if the judges of the said courts of King's Bench or Common Pleas for the time being, or any of them respectively, shall, upon examining such solicitor, touching his fitness and capacity to act as an attorney in the said respective courts, be satisfied that such solicitor is duly qualified to be sworn, admitted, and inrolled an attorney, pursuant*

Solicitors in the courts of equity may be admitted attornies without fees.

to the said in part recited act, and other the laws now in force concerning attornies and solicitors.

## C A P. XXVII.

*An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto.*

**W**HEREAS for want of an easy and speedy method for the recovery of small debts, many ill-disposed persons, who have contracted small debts within the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto, and refuse to pay the debts which they have so contracted, to the loss and prejudice of their creditors, and to the detriment of useful credit within the said city and liberty of Westminster, and the said part of the dutchy aforesaid: for the remedy of the said inconvenience, and for the providing an easy and speedy method for the recovery of small debts within the said city and liberty of Westminster, and the said part of the dutchy aforesaid; may it please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for all and every the parishioners of the several and respective parishes within the said city and liberty of Westminster, and the said part of the dutchy aforesaid, who have a right to assemble in vestry, within their respective parishes, and they are hereby respectively empowered and required to meet on the first day of May, in the year of our Lord one thousand seven hundred and fifty, and so on the same day in every succeeding year, provided the same shall not fall on a Sunday; and if it should, then upon the next day at ten of the clock in the forenoon, in the several and respective vestries in every of their respective parishes, and nominate and assign in the whole, the number of two hundred and forty two of the most substantial and discreet persons residing within their respective parishes, who are to be commissioners for the purposes hereafter-mentioned and expressed; to be appointed by such parishioners of the said several parishes, in manner following; (that is to say) of the parish of Saint Margaret to nominate and appoint thirty of the said persons; of the parish of Saint John the Evangelist, other twenty of the said persons; of the parish of Saint James, other forty two of the said persons; of the parish of Saint George, Hanover Square, other thirty of the said persons; of the parish of Saint Anne, other twenty four of the said persons; of the parish of Saint Martin in the Fields, other forty of the said persons; of the parish of Saint Clement Danes, as well within the liberty of Westminster as without, other twenty four of the said persons; of the parish of Saint Mary le Strand, other twelve of the said persons; and of the parish of Saint Paul, Covent Garden, other twenty of the said persons: and the church-

Amended by  
24 Geo. 2. c. 42.

The parishioners of Westminster, to meet in their vestries on  
1 May yearly,

and nominate  
242 commissioners, viz.

St. Margaret 30,  
St. John 20,  
St. James 42,  
St. George Hanover Square 30,  
St. Anne 24,  
St. Martin in the Fields 40,  
St. Clement Danes 24,  
St. Mary le Strand 12,  
St. Paul Covent Garden 20.

Churchwardens to make 2 liſts, and affix one on the church door, and deliver the other to the high bailiff.

Commissioners conſtituted a court of juſtice :

Three to hold the court,

in St. Margaret, every Tueſday ;

in St. James's, every Wedneſday ;

and in St. Paul Covent Garden, every Thuſday ;

and to pronounce judgement, &c. None to be imprifoned upon an execution, longer than 40 days.

Qualification of commiſſioners.

wardens of each reſpective pariſh for the time being, or one of them, ſhall, within two days after ſuch nomination, cauſe two liſts to be made out of the ſeveral perſons ſo reſpectively nominated and appointed, as aforeſaid ; and ſhall cauſe one of the ſaid liſts, or a true copy thereof, to be fixed or ſtuck up on the church door of each reſpective pariſh ; and ſhall deliver, or cauſe to be delivered, the other of the ſaid liſts to the high bailiff of the ſaid city and liberty, or his deputy, who ſhall forthwith cauſe a copy of ſuch liſts to be made and ſtuck up in the ſeveral places where the ſaid commiſſioners ſhall aſſemble ; which ſaid perſons ſo nominated and returned by and for the ſaid ſeveral pariſhes reſpectively, as aforeſaid, from time to time, ſhall be, and are hereby declared, conſtituted, and appointed commiſſioners to hear and determine all ſuch matters of debt as are hereafter mentioned ; and ſuch commiſſioners, ſo from time to time to be nominated and appointed, as aforeſaid, are hereby conſtituted a court of juſtice, by the name of *The court of requeſts for the city and liberty of Weſtmiſter, and that part of the dutchy of Lancaſter, which adjoineth thereto* ; and the ſaid commiſſioners, or any three or more of them, are hereby authorized, impowered, and required to aſſemble, ſit, and hold the ſaid court, in and for the ſaid ſeveral pariſhes, in ſuch ſeveral diviſions, and on ſuch days, and in ſuch manner, as is herein after-mentioned ; *videlicet*, The commiſſioners of the pariſhes of *Saint Margaret and Saint John the Evangelist*, on every *Tueſday* in every week, or oftner, if neceſſary, in ſome convenient part of the ſaid pariſh of *Saint Margaret* ; the commiſſioners of the pariſhes of *Saint George Hanover Square, Saint James, and Saint Anne*, on every *Wedneſday* in every week, or oftner, if neceſſary, in ſome convenient part of the ſaid pariſh of *Saint James* ; and the commiſſioners of *Saint Martin in the Fields, Saint Paul Covent Garden, Saint Clement Danes, and Saint Mary le Strand*, on every *Thuſday* in every week, or oftner, if neceſſary, in ſome convenient part of the ſaid pariſh of *Saint Paul Covent Garden* ; and ſuch commiſſioners, ſo to be nominated and appointed as aforeſaid, for the time being, or any three or more of them, ſhall have power and authority, by virtue of this act, to hear and determine, in their reſpective diviſions, all ſuch cauſes as are herein after-mentioned, and to pronounce ſuch judgement, and make ſuch decree, and to award execution thereupon, with coſts, againſt the bodies, or againſt the goods and chattels of all and every the perſon or perſons againſt whom they ſhall give ſuch judgement, or make ſuch decree, as to them ſhall ſeem juſt in law or equity ; ſo as no perſon ſhall remain in priſon upon an execution, for a longer ſpace than forty days.

II. Provided always, and it is hereby enacted by the authority aforeſaid, That no perſon ſhall be capable of acting as a commiſſioner, in the execution of the powers given by this act, unleſs ſuch perſon, at the time of his nomination, and alſo during the time he ſhall ſo act as a commiſſioner, in the execution of the powers given by this act, ſhall be ſeiſed of lands, tenements,

tenements, or hereditaments, of the yearly value of twenty pounds, clear of all incumbrances, or be possessed of a personal estate of the value of five hundred pounds.

III. And be it further enacted by the authority aforesaid, That if any person or persons summoned by virtue of this act, shall not perform such order of the said commissioners, or any three or more of them shall make and set down for or concerning such debts as aforesaid, then it shall and may be lawful to and for the said commissioners, or any five or more of them, after personal service of the said order, and due proof thereof made, to commit such person or persons to one of his Majesty's gaols within the city and liberty of *Westminster*, there to remain until he, she, or they shall perform such order, so as no person so imprisoned shall remain in prison for a longer space of time than forty days.

Persons summoned, not conforming, may be committed.

IV. And for the more orderly and regular proceeding in the said court, and to prevent any undue preference or delay, in summoning the said commissioners to attend the business of the said court, be it further enacted by the authority aforesaid, That the said high bailiff, who is hereby impowered and required from time to time so to do, shall, within two days next after such several lists shall be returned to him as aforesaid, summon, or cause to be summoned, the first seven persons named in each list containing forty two and forty, the first five in each list containing thirty, the first four in each list containing twenty four and twenty, and the first two in each list containing twelve, to attend as commissioners of the said court, in their respective divisions, for the month of *May*, and so the like number of persons out of every list, as they shall stand in order and rotation therein respectively, to serve as commissioners in their respective divisions, from month to month, during the term for which they are chosen commissioners.

The high bailiff to summon a certain number of commissioners monthly.

V. Provided always, That nothing herein before contained shall extend, or be construed to extend, to exclude or debar any of the persons who shall be nominated and returned for commissioners as aforesaid (although they be not in rotation) from sitting in the said court, in each respective division, but that all such commissioners shall and may, as often as they shall respectively think fit, sit and give judgement therein; any thing herein before contained to the contrary thereof notwithstanding.

Such commissioners as are not in rotation, may sit.

VI. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand seven hundred and fifty, it shall and may be lawful to and for every resiant and inhabitant within the said city and liberty, or the said part of the said dutchy aforesaid, and to and for all and every person and persons renting or keeping any shop, shed, stall, or stand, or seeking a livelihood within the said city and liberty of *Westminster*, or in the said part of the said dutchy aforesaid, who now have, or hereafter shall have, any debt or debts due or owing unto him, her, or them, not amounting to the sum of forty shillings, by any person or persons whatsoever, inhabiting

Power given to resiants to sue for debts under 40 s.

Clerks to summon the debtor.

inhabiting or seeking a livelihood within the said city and liberty of *Wesminster*, or in that part of the said dutchy aforesaid, to apply to the said clerks of the said court, or one of them, who shall cause such debtor or debtors so inhabiting or seeking a livelihood as aforesaid, to be warned or summoned by the said high bailiff, or his officer or officers (who are thereby appointed, authorized, and required, to execute all warrants, precepts, and process of the said court of requests) by writing left at the dwelling-house, or place of abode, shop, shed, stall, stand, or any other place of dealing of such debtor or debtors, to appear before the commissioners of the said court, to be held in and for such division, where such debtor or debtors shall inhabit or reside as aforesaid; and that the said commissioners, or any three or more of them, shall, after the return of such summons as aforesaid, have full power and authority by virtue of this act, to make, or cause to be made, such acts, order or orders, decrees, judgements, and proceedings, between such party or parties, plaintiffs, and his, her, or their debtor or debtors, defendants, touching such debts, not amounting to the sum of forty shillings, as they shall find to stand with equity and good conscience; and all such acts, decrees, judgements, and proceedings, order or orders, shall be entered and registred in a book to be kept for that purpose by the clerk or clerks of the said court; and shall be observed, performed, and kept in all parts, as well by the plaintiff as by the debtor or defendant.

Upon return of the summons, the commissioners to give judgement.

Orders, &c. to be registred and observed.

Commissioners may administer oaths to the parties, &c.

VII. And for the more solemn determination of matters and causes which shall be depending in the said court intended to be established by this act, it is hereby further enacted, That it shall and may be lawful for the said commissioners, or any three or more of them, to administer an oath to the plaintiff or defendant, and to such witness or witnesses, as shall be produced by each party; and also to all the officers of the said court, for or concerning any business relative thereunto, if the same commissioners, or any three or more of them, shall think it meet.

In an action for a debt under 40 s. sued for in any other court, the defendant may plead this act in bar, &c.

VIII. And be it further enacted by the authority aforesaid, That if any action of debt, or action on the case upon an *Assumpsit* for the recovery of any debt to be sued or prosecuted against any person or persons aforesaid, in any of the King's courts at *Wesminster*; or elsewhere, out of the said court of requests, the plaintiff shall declare for any sum of money, not amounting to the sum of forty shillings, the defendant may plead generally in bar of such action, That at the time of commencing such action, the defendant was inhabitant and resident within the said city and liberty of *Wesminster*, or that part of the dutchy aforesaid, and was liable to be warned or summoned before the said court of requests, without pleading any other matter specially; and in case the plaintiff, in any such action, shall declare for the sum of forty shillings, or any sum of money exceeding the sum of forty shillings, the defendant may plead generally (over and above such matters as aforesaid) that the defendant was not, at the time of commencing such action, indebted to the plaintiff

in any sum or sums of money amounting to the sum of forty shillings, without pleading any other matter specially, whereto the plaintiff shall or may reply generally, and deny the matters pleaded as aforesaid; and if the plaintiff be nonsuited, or discontinue his action, or verdict pass against him, or judgement be given on default of the defendant shall have full costs.

Full costs.

X. Provided always, That it shall and may be lawful to and for the plaintiff, in such action, afterwards to prosecute the said defendant for the recovery of his said debt in the said court of requests; such verdict or judgement obtained against him as aforesaid, in any wise notwithstanding.

Plaintiff may afterwards sue in the court of requests.

XI. And for the more effectual establishing of the said court of requests, and the better enforcing the orders and decrees which shall be made by the said commissioners; and that the said commissioners may be invested with proper power and authority, and be free and exempt from any insult or abuses; be it further enacted by the authority aforesaid, That if any person or persons shall contemptuously affront, insult, or abuse all or any of the commissioners of the said court, during their sitting in the said court, it shall and may be lawful to and for the said high bailiff, or his deputy, officer or officers, by order of the said commissioners then sitting, or any three or more of them, to take such person or persons so offending as aforesaid into custody, and carry him, her, or them, before one or more of his Majesty's justice or justices of the peace for the said city and liberty of *Westminster*, to answer such affront, insult, or abuse; and upon the fact alledged being duly proved, upon the oath or oaths of one or more credible witness or witnesses, against him, her, or them; then, and in such case, the said justice or justices shall proceed to punish such person or persons so offending as aforesaid, by fine or imprisonment, or both; provided that the fine on any one person do not exceed the sum of twenty shillings; and that the imprisonment be for no longer time than ten days.

Method of proceeding and punishment, when any shall insult the court.

Fine not to exceed 20s. nor the imprisonment 10 days.

XI. And be it further enacted by the authority aforesaid, That upon the nonpayment of the said fine, so to be imposed or set upon every person convicted of offending as aforesaid, it shall and may be lawful for the said justice or justices to issue a warrant or warrants, under his or their hands and seals, for levying the said fine or fines so imposed, upon the goods and chattels of every such offender or offenders, being then resident or inhabiting within the said city and liberty of *Westminster*, or that part of the duchy aforesaid, and to cause sale to be made thereof, in case they shall not be redeemed in five days, rendering the overplus, if any, to the owner upon demand, after deducting the reasonable charges of such sale; which fine or fines, when levied or received by virtue of this act, shall be immediately paid over into the hands of the churchwardens or overseers of the poor of the parish wherein every such offender shall, at the time of such offence committed, inhabit, dwell, or seek a livelihood, towards the support and maintenance of the poor

The fine to be levied by distress and sale,

towards the support of the poor;



Where the offender is not resiant, &c. he is to be committed.

of the same parish; and if such offender or offenders shall not be resiant or inhabiting within the said city and liberty of *Westminster*, or that part of the dutchy aforesaid, or shall not have any goods or chattels within the said city and liberty of *Westminster*, or that part of the dutchy aforesaid, where such fine or fines can be levied as aforesaid; they, and in such case, and upon the nonpayment of such fine or fines, it shall and may be lawful for the said justice or justices, by warrant under his or their hand and seal, or hands and seals, to commit such offender or offenders to one of his Majesty's gaols within the city or liberty of *Westminster*, there to remain for the space of one calendar month, unless he, she, or they, sooner pay the said fine or fines so imposed as aforesaid; in which case, he, she, or they, on payment of such fine or fines, are to be forthwith discharged out of custody; and such fine or fines, when levied or received, shall be immediately paid over into the hands of the said churchwardens or overseers of the poor for the purposes aforesaid.

On payment of the fine the person to be discharged.

Copy of the 2 last clauses to be stuck up in the courts.

XII. And be it further enacted by the authority aforesaid, That the clerks of the said court, or one of them, shall fix, or cause to be fixed, or stuck up, in the most publick part of the respective places where such court shall be held in the several divisions aforesaid, or other place where the said commissioners shall sit to do business as aforesaid, a true copy of the two last preceding clauses of this act, to the end that no person or persons shall or may pretend ignorance in the premisses.

Penalty of perjury.

XIII. And be it further enacted by the authority aforesaid, That in case any person or persons shall make oath, or give evidence, in any cause depending in the said court of requests, whereby he, she, or they, shall commit any wilful or corrupt perjury, and shall thereof be duly convicted according to law, then every such person or persons shall incur and suffer the like pains and penalties as any other person or persons convicted of wilful perjury according to the laws and statutes of this realm.

Clerks of the court,

XIV. And be it further enacted by the authority aforesaid, That *Thomas Smith, Stephen Popham, Harman Verelst, and John Spranger*, gentlemen, shall be, and are hereby constituted and appointed clerks of the said court of requests during their respective good behaviour; who shall and are hereby impowered and required to issue out and register all summons, warrants, precepts, acts, orders, decrees, judgements, attachments, and proceedings of the said court; and shall keep proper books, wherein shall be entered and registred all acts, orders, and proceedings of the same court; and that no clerk of the said court shall act as a justice of the peace within the limits of the jurisdiction of the said court.

and their office.

No clerk to act as a justice.

On the death, removal, or resignation of the clerks, the commissioners to be summoned, and elect another.

XV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners who shall be sitting and acting in court, on the next court day after the death, resignation, or removal of any of the said clerks appointed by this act, or so soon after as the same is publickly known, or the major part of them, to cause the whole number

of commiſſioners to be ſummoned to meet at ſome convenient place to be appointed for that purpoſe, within four days next after their being ſummoned as aforeſaid; and ſuch commiſſioners, at ſuch meeting, or the major part of them then preſent, are hereby authorized and required to elect another perſon or perſons in the room of ſuch of the ſaid clerks ſo dying, reſigning, or being removed, as aforeſaid, for the uſe and purpoſes in this act contained; and ſo from time to time, upon every vacancy of the ſaid office of clerk, for ever.

XVI. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall be capable of acting as commiſſioner or commiſſioners, in the execution of the powers given by this act, until ſuch time as he and they ſhall have reſpectively taken an oath to the effect following: Commiffioners to be ſworn.

**I** A. B. do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my judgement, hear and determine ſuch matters and things as ſhall be brought before me, by virtue of an act of parliament (intituled, An act for the more eaſy and ſpeedy recovery of ſmall debts within the city and liberty of Weſtmiſter, and that part of the dutchy of Lancaſter which adjoineth thereto) without favour or affection to either party; and that I am now ſeiſed of lands, tenements, or hereditaments, of the yearly value of twenty pounds, clear of all incumbrances; or that I am poſſeſſed of a perſonal eſtate of the value of five hundred pounds. The oath.

Which oath the ſaid clerks, or one of them, are or is hereby impowered and required to adminiſter in open court; a memorial whereof ſhall be entered in the registers of the ſaid court. to be adminiſtered by a clerk, and regiſtered.

XVII. And be it further enacted by the authority aforeſaid, That the ſeveral fees hereafter limited and expreſſed, and no other fee or fees, ſhall and may be taken for the reſpective ſervices of the ſaid high bailiff and clerks; that is to ſay, Fees allowed to be taken by the high bailiff and clerks.

For iſſuing out every ſummons, to the clerk or clerks, three pence.

For the ſervice of ſuch ſummons, to the high bailiff, three pence.

For every hearing, to the clerk or clerks, three pence; to the high bailiff, one penny.

For an attachment againſt the defendant for not appearing to the ſummons, to the clerk or clerks, ſix pence; to the high bailiff, one ſhilling and two pence.

For an execution, to the clerk or clerks, ten pence; to the high bailiff, one ſhilling and two pence.

For paying money into court, to the clerk or clerks, ſeven pence.

For acknowledging ſatisfaction in full, to the clerk or clerks, four pence.

For ſearching the books, to the clerk or clerks, two pence.

For calling the defendant before the court, when he reſuſes to

to appear, to the clerk or clerks, two pence ; to the high bailiff, two pence.

For a nonsuit on the plaintiff's not appearing to the clerk or clerks, two pence :

Table of the fees to be hung up in the courts.

A table of which fees shall be hung up by the clerks of the said court, or one of them, in some publick or conspicuous part of every place where the said commissioners shall meet for the purposes aforesaid ; to the end that all persons may at all times see and read the same.

Penalty on the high bailiff, &c. taking greater fees, &c.

XVIII. And be it further enacted, That if the said high bailiff for the time being, or any of his officers, or the said clerks, or any of them, shall take or demand any greater or other fee or fees than as above-mentioned, or otherwise misbehave, that then, upon complaint made to the said commissioners sitting in court, of the said offence or offences, such complaint being duly proved upon the oath or oaths of one or more credible witness or witnesses, against him or them so offending, as aforesaid, the said commissioners shall proceed to punish such person or persons so offending, as aforesaid, by fine, not exceeding the sum of five pounds for any one offence, to be levied by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of the said commissioners, or any three of them (rendering to the owner the overplus, after the charges of such distress and sale are deducted) and to be paid over by the said commissioners, and applied to the use of the sick in the *Westminster* infirmary.

Application of the penalty.

Method of proceeding against clerks where the offence deserves a greater punishment.

XIX. And be it further enacted by the authority aforesaid, That if upon complaint made by any person or persons of the misbehaviour of any clerk or clerks appointed or to be appointed by virtue of this act, or of any clerk or clerks taking or demanding any greater or other fees than as above-mentioned, it shall appear to the commissioners then present, that such offence deserves a greater punishment than is before provided, it shall and may be lawful for the commissioners then sitting in court, or the major part of them, in case they shall so think fit, to cause the whole number of commissioners to be summoned to meet as soon as conveniently may be, by publick notice to be given in the several parish churches aforesaid, by the parish clerks thereof (which notice the said parish clerks are hereby required and directed to give without fee or reward) immediately after divine service, on the *Sunday* morning next before such meeting is to be held (such *Sunday* to be at least three days before the day appointed for such meeting) to examine into the merits of such complaint ; and if it shall then appear to the commissioners, being not less than sixty present, or to the major part of them, that such clerk or clerks hath or have been guilty of a gross misbehaviour, or breach of duty in his or their office, that then it shall and may be lawful to and for the said commissioners, or the major part of them, to suspend or remove such clerk or clerks from his or their said office, and to elect

act another person or persons in the room of the person or persons so removed.

XX. Provided always, That this act, or any thing herein contained, shall not extend to any debt for any rent upon any lease of land or tenements, or on any other real contract, nor to any debt which shall arise by reason of any cause concerning testament or matrimony, or any thing concerning, or properly belonging to the ecclesiastical court, albeit the same shall be under forty shillings; any thing herein before contained to the contrary in any wise notwithstanding.

Certain debts not liable to be sued by this act.

XXI. And be it further enacted by the authority aforesaid, That no action or suit for any debt not amounting to the sum of forty shillings, and recoverable by virtue of this act in the said court of requests, shall be brought against any person residing or inhabiting within the jurisdiction thereof, in any other court whatsoever.

No suit for debts recoverable by this act, to be brought in any other court.

XXII. And whereas the four council of the ancient court of the Marshalsea, and court of his Majesty's palace of Westminster, who hold their offices for the terms of their natural lives respectively, and who have been made chargeable by parliament, and actually assessed to the land tax for their freeholds in their said offices, will sustain great loss by this present act, unless a compensation shall be made to them for the same; be it therefore enacted by the authority aforesaid, That the said high bailiff, and the clerks of the said court of requests for the time being, shall, and they are hereby required, out of the fees limited or to be limited to him and them, by virtue of this present act, to pay, or cause to be paid, in equal proportions, unto *John Lawson, Lomax Martyn, George Weller, and John Le Gros Spelman*, esquires, the present council of the said court of the Marshalsea, and court of his Majesty's palace of Westminster, as a compensation for the loss they will sustain in their said offices by this present act, for and during the terms of their respective natural lives, the yearly sum of twenty pounds apiece, of lawful money of Great Britain (free and clear of and from all charges and deductions whatsoever) to be paid to them severally and respectively, yearly and every year, at or upon the several feast days following; that is to say, The feast of Saint Michael the Archangel, the feast of the nativity of our Lord, the feast of the annunciation of the blessed Virgin Mary, and the feast of the nativity of Saint John the Baptist, by even and equal portions; the first payment thereof to begin and to be made at or upon the feast day of Saint Michael the Archangel, in the year of our Lord one thousand seven hundred and fifty.

20l. per annum to be paid yearly, to each of the four council of the court of Marshalsea.

XXIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be brought or commenced against any person or persons for any matter or thing done or to be done in pursuance of this act, then, and in such case, such action or suit shall be brought or commenced within three calendar months next after the fact committed, and not afterwards; and the defendant or defendants, in such action or suit, shall and may plead

Limitation of actions.

**General issue.** plead the general issue, and give this act and the special matter in evidence at any trial to be had thereon: and if the plaintiff or plaintiffs shall become nonsuited, or discontinue his or their action or actions, suit or suits; or if, upon verdict or demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have such remedy for the same, as any defendant or defendants hath or have in other cases by law.

**Treble costs.**

**Publick act.** XXIV. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such, by all judges, justices, and all other persons whatsoever, without specially pleading the same.

## C A P. XXVIII.

*An act to explain part of an act passed in the thirteenth and fourteenth years of the reign of King Charles the Second, for the uniformity of publick prayers, and administration of sacraments; and also part of an act passed in the thirteenth year of the reign of Queen Elizabeth, for the ministers of the church to be of sound religion.*

13 & 14 Car. 2.  
c. 4. s. 6.

**WHEREAS** by an act passed in the thirteenth and fourteenth years of the reign of the late King Charles the Second, intituled, An act for the uniformity of publick prayers, and administration of sacraments, and other rites and ceremonies; and for establishing the form of making, ordaining, and consecrating bishops, priests, and deacons, in the church of England; it was enacted, That every person who should thereafter be presented or collated, or put into any ecclesiastical benefice or promotion, within England, the dominion of Wales, and town of Berwick upon Tweed, should, in the church, chapel, or place of publick worship, belonging to his said benefice or promotion, within two months next after that he shall be in the actual possession of the said ecclesiastical benefice or promotion, upon some Lord's day, openly, publicly, and solemnly read the morning and evening prayers appointed to be read by and according to the book of common prayer, at the times thereby appointed or to be appointed; and after such reading thereof, should openly and publicly, before the congregation there assembled, declare his unfeigned assent and consent to the use of all things therein contained and prescribed, according to the form therein before appointed; and that all and every such person who should (without some lawful impediment, to be allowed and approved by the ordinary of the place) neglect or refuse to do the same within the time aforesaid, or (in case of such impediment, within one month after such impediment removed), should (ipso facto) be deprived of all his said ecclesiastical benefices and promotions; and that from thenceforth it should and might be lawful to and for all patrons and donors of all and singular the said ecclesiastical benefices and promotions, or any of them, according to their respective rights and titles, to present or collate to the same, as though the person or persons so offending or neglecting were dead: and it was  
by

by the said act (amongst other things) further enacted, That every parson, vicar, curate, lecturer, and every other person in holy orders, should, before his or their respective admission to be incumbent, or have possession of any parsonage, vicarage, or any curate's place or lecture, subscribe the declaration or acknowledgement therein directed before the respective archbishop, bishop, or ordinary of the diocese, upon pain that all and every of the persons afore-mentioned, failing in such subscription, should lose and forfeit such respective parsonage, vicarage, curate's place, or lecture, and should be utterly disabled and (ipso facto) deprived of the same; and that every such respective parsonage, vicarage, curate's place, or lecture, should be void, as if such person so failing were naturally dead; and that after such subscription made, every parson, vicar, curate, or lecturer should procure a certificate under the hand and seal of the respective archbishop, bishop, or ordinary of the diocese (who were thereby enjoined and required, upon demand, to make and deliver the same) and should publicly and openly read the same, together with the declaration or acknowledgement therein mentioned, upon some Lord's day within three months then next following, in his parish church where he was to officiate, in the presence of the congregation there assembled, in the time of divine service, upon pain, that every person failing therein, should lose such parsonage, vicarage, or benefice, curate's place, or lecturer's place respectively, and should be utterly disabled and (ipso facto) deprived of the same; and that the said parsonage, vicarage, or benefice, curate's place, or lecturer's place should be void, as if he were naturally dead: and whereas doubts have arisen, whether the allowance and approbation of any lawful impediment before-mentioned, doth extend to both the said before-recited cases, or whether any archbishop, bishop, or other ordinary, hath power by the said act to allow and approve of any lawful impediment, as to reading the said last-mentioned certificate and declaration, within the time limited by the said act: for the obviating thereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every allowance and approbation of any lawful impediment already given and declared, or which shall hereafter be given and declared, in pursuance of the said act, by any archbishop, bishop, or ordinary, to any person for or in respect of not reading in the church, chapel, or place of publick worship, belonging to his benefice or promotion, within two months next after that he shall be in the actual possession of the said benefice or promotion, upon some Lord's day, openly, publicly, and solemnly, the morning and evening prayers, appointed to be read by and according to the said book of common prayer, and for or in respect of not openly and publicly, before the congregation there assembled, declaring his unfeigned assent and consent to the use of all things therein contained and prescribed, shall extend, and be construed to extend, to the not reading the said last-mentioned certificate and declaration, although the same be not mentioned in the said allowance

Allowance of a lawful impediment extended to the not reading the certificate and declaration within the time limited.

allowance and approbation, for the like time as the said allowance and approbation shall extend to.

13 Eliz. C. 12. II. *And whereas by an act passed in the thirteenth year of the reign of Queen Elizabeth, intituled, An act for the ministers of the church to be of sound religion; it was (amongst other things) enacted, That every person who should be admitted to a benefice with cure, except that within two months after his induction, he should publicly read the articles therein mentioned, in the same church whereof he should have cure, in the time of common prayer there, with declaration of his unfeigned assent thereunto, should be, upon every such default (ipso facto) immediately deprived: and whereas it hath happened, and may hereafter happen, through sickness, or other lawful impediment, that divers persons have been, and may be hindered from reading the said articles, and making the said declaration, within the time directed by the said act, and yet such person, after such sickness, or other lawful impediment removed, hath read, and may hereafter read the said articles, and make the said declaration; and it is reasonable that such persons should be deemed to have complied with the true intent and meaning of the said act; be it therefore further enacted by the authority aforesaid, That every person who hath already read, or who shall hereafter read the said articles, and hath made, or shall hereafter make the said declaration, at the same time that he did read, or shall hereafter read the morning and evening prayer, and declare his unfeigned assent and consent to the use of all things therein contained and prescribed, according to the directions of the said in part recited act of the thirteenth and fourteenth years of the reign of King Charles the Second, shall be, and is hereby declared and adjudged to have complied with the true intent and meaning of the said act of the thirteenth year of the reign of Queen Elizabeth, although the same were not, or may not be read within the space of two months after such person's induction into any benefice with cure; and that every such person shall, and he is hereby declared to be freed and discharged from any deprivation, or other forfeiture by virtue of the said act; any thing therein contained to the contrary notwithstanding.*

Persons who shall read the articles and declaration at the time of reading the morning and evening prayer;

are declared to have complied with the intent of 13 Eliz.

Limitation of this act.

III. *Provided always, That this act shall not extend to restore any person to any parsonage, vicarage, or benefice, curate's place, or lecturer's place, which, for want of reading such certificate and declaration, within the time directed by the said first in part recited act, or of reading the said articles and declaration concerning the same, according to the said last-mentioned act, hath been forfeited or become void, and is already filled up or enjoyed by any person or persons whatsoever.*

## C A P. XXIX.

*An Act to encourage the importation of pig and bar iron from his Majesty's colonies in America; and to prevent the erection of any mill or other engine for slitting or rolling of iron; or any piteing forge to work with a tilt hammer; or any furnace for making steel in any of the said colonies.*

WHEREAS the importation of bar iron from his Majesty's colonies in America, into the port of London, and the importation of pig iron from the said colonies, into any port of Great Britain, and the manufacture of such bar and pig iron in Great Britain, will be a great advantage not only to the said colonies, but also to this kingdom, by furnishing the manufacturers of iron with a supply of that useful and necessary commodity, and by means thereof large sums of money, now annually paid for iron to foreigners, will be saved to this kingdom, and a greater quantity of the woollen, and other manufactures of Great Britain, will be exported to America, in exchange for such iron so imported; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of June, one thousand seven hundred and fifty, the several and respective subsidies, customs, impositions, rates, and duties, now payable on pig iron, made in and imported from his Majesty's colonies in America, into any port of Great Britain, shall cease, determine, and be no longer paid; and that from and after the said twenty fourth day of June, no subsidy, custom, imposition, rate, or duty whatsoever, shall be payable upon bar iron made in and imported from the said colonies into the port of London; any law, statute, or usage to the contrary thereof in any wise notwithstanding.

II. And be it further enacted by the authority aforesaid, That no such bar iron so imported into the port of London, shall be afterwards exported, or shall be carried coastwise to be landed at any other port or place of Great Britain, except for the use of his Majesty's dock yards, upon pain, that all such bar iron so exported, or carried coastwise, and every ship or vessel, on board of which any such bar iron shall be so exported, or carried coastwise, shall be subject to such forfeiture and seizure, as any prohibited or uncustomed goods, or any goods clandestinely exported or imported, or any ship or vessel on board of which any such goods shall be exported or imported, are now liable by law; and also upon pain, that every person, so exporting such bar iron, or sending the same coastwise, and the master or commander, and mariners of every ship or vessel, on board of which any such bar iron shall be so exported or carried coastwise, shall be subject to such and the like punishments and penalties as the master or commander, or mariners of any ship



Officers granting any cocquet for exporting thereof,

to forfeit 200l.

and his office.

No bar iron to be carried coastwise, unless the duty be paid.

Penalty of carrying by land any such iron beyond 10 miles from London.

Oath to be made of the place where the iron was made, and to whom consigned.

or vessel, laden with any prohibited or uncustomed goods, or goods clandestinely exported or imported, are now liable to by law; and that no officer of his Majesty's customs shall sign or grant any cocquet, sufferance, transire, let-paſs, warrant, or certificate whatsoever, for exporting or carrying coastwise, except for the use of his Majesty's dock yards, and such bar iron so imported into the port of *London*, upon pain, that every officer of his Majesty's customs, so offending, shall forfeit and pay the sum of two hundred pounds, to be sued for and recovered by action, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, and to be applied, one moiety to the use of his Majesty, his heirs and successors, and the other moiety to such person or persons as shall sue for the same, and shall also lose and forfeit his office, and be incapable of serving his Majesty, his heirs or successors, in any office of trust or profit whatsoever; and that if any such cocquet, sufferance, transire, let-paſs, warrant, or certificate whatsoever, shall be signed or granted, the same shall be void, and of no effect whatsoever.

III. And be it further enacted by the authority aforesaid, That no bar iron whatsoever shall be permitted to be carried coastwise, unless mention be made in the certificate to be granted for that purpose, of the day on which the subsidies, customs, impositions, rates, and duties, payable upon the importation thereof, were paid, and of the name of the person or persons by whom the same were paid.

IV. And it is hereby further enacted, That no bar iron imported into the port of *London*, by virtue or in pursuance of this act, shall be carried or conveyed by land carriage to any place beyond ten miles from any part of the port of *London*, except to his Majesty's dock yards for the use of his Majesty, his heirs and successors; and if any person or persons shall carry and convey, or cause or procure to be carried or conveyed upon horseback, or in any waggon, cart, or other carriage, any iron so imported, to any place beyond the limits prescribed by this act, every person so offending, shall, for every such offence, forfeit and pay the sum of twenty shillings for every hundred weight of such iron.

V. And that the importers of foreign pig and bar iron, not made in and imported from the said colonies, may not, upon any pretence whatsoever, claim the exemption hereby granted; be it further enacted by the authority aforesaid, That every merchant, trader, factor, or other person, loading any pig or bar iron on board any ship or vessel in any of his Majesty's colonies in *America*, shall, before the clearing out of the said ship or vessel for any port of *Great Britain*, make oath before the governor or lieutenant governor, collector and comptroller of the customs, and naval officer, or any two of them (which oath every such governor or lieutenant governor, collector, and comptroller of the customs, and naval officer, is hereby impowered and required to administer without fee or reward) that the pig or bar iron

iron ſo ſhipped, the true weight whereof ſhall in ſuch oath be expreſſed, was made at

within the colony of

in which oath alſo the name or names of the perſon or perſons to whom the ſaid iron ſhall be ſold or conſigned, ſhall be expreſſed; and thereupon the ſaid governor, lieutenant governor, collector, and comptroller of the cuſtoms, and naval officer, or any two of them, ſhall deliver to ſuch merchant, trader, factor, or other perſon, ſo making oath as aforeſaid, a certificate, under their hands and ſeal of office, of ſuch oath having been made before them.

Certificate to be given.

VI. And be it further enacted by the authority aforeſaid, That no perſon or perſons importing any pig or bar iron into *Great Britain* from his Maſteſty's colonies in *America*, ſhall import the ſame duty-free as aforeſaid, unleſs ſuch pig or bar iron ſhall be ſtamped with ſome mark denoting the colony or place where the ſame was made; and unleſs ſuch perſon or perſons ſhall produce ſuch certificate to the chief officer of the cuſtoms at the port in *Great Britain* where the ſame ſhall be imported; and unleſs oath ſhall be made before the ſaid chief officer of the cuſtoms, by the maſter or commanding officer of the ſhip or veſſel, importing ſuch pig or bar iron (which oath ſuch chief officer is hereby impowered and required to adminiſter without fee or reward) that the iron ſo imported is the ſame iron mentioned in the ſaid certificate.

Rules to be obſerved in the importation of iron.

VII. Provided always, and be it enacted by the authority aforeſaid, That all pig or bar iron imported into *Great Britain*, which ſhall not be ſtamped and certified as aforeſaid, to be made in his Maſteſty's colonies in *America*, ſhall be ſubject to the payment of the ſame ſubſidies, cuſtoms, impoſitions, rates, and duties, to which ſuch iron was liable before the making of this act.

Iron not marked, and certified, to pay the duties.

VIII. And be it further enacted by the authority aforeſaid, That if any governor, lieutenant governor, collector, or comptroller of the cuſtoms, naval officer or chief officer of the cuſtoms as aforeſaid, ſhall falſely make any ſuch certificate, every perſon ſo offending ſhall, for every ſuch offence, forfeit and pay the ſum of two hundred pounds, and alſo forfeit and loſe his office, and be incapable of ſerving his Maſteſty, his heirs and ſucceſſors in any office of truſt or profit; or if any merchant, factor, trader, and maſter, or commanding officer of any ſhip or veſſel, ſhall falſely make any oath required by this act, every ſuch offender ſhall incur the puniſhment inſlicted by the laws of this realm for wilful and corrupt perjury; and if any perſon ſhall knowingly counterfeit any ſuch ſtamp, or ſhall counterfeit any ſuch certificate, or publiſh the ſame, knowing it to be counterfeit, every ſuch perſon ſo offending ſhall incur the puniſhment inſlicted by the laws of this realm for forgery.

Penalty of falſe certificates,

or oaths;

and of counterfeiting the ſtamps, or certificate.

IX. And, that pig and bar iron made in his Maſteſty's colonies in *America* may be further manufactured in this kingdom, be it further enacted by the authority aforeſaid, That from and after the twenty fourth day of *June*, one thouſand ſeven hundred

No mill for ſlitting of iron; or plate-

ing forge; or  
furnace for  
steel to be  
erected, &c.  
in America.

Penalty of  
200 l.

to be deemed  
a common  
nuisance;

and the go-  
vernor to cause  
it to be abat-  
ed,

Penalty of  
500 l. &c.

Method of re-  
covering the  
penalties.

Application of  
the penalties.

dred and fifty, no mill or other engine for flitting or rolling of iron, or any plateing-forge to work with a tilt hammer, or any furnace for making steel, shall be erected, or after such erection, continued, in any of his Majesty's colonies in *America*; and if any person or persons shall erect, or cause to be erected, or after such erection, continue, or cause to be continued, in any of the said colonies, any such mill, engine, forge, or furnace, every person or persons so offending, shall, for every such mill, engine, forge, or furnace, forfeit the sum of two hundred pounds of lawful money of *Great Britain*.

X. And it is hereby further enacted by the authority aforesaid, That every such mill, engine, forge, or furnace, so erected or continued, contrary to the directions of this act, shall be deemed a common nuisance; and that every governor, lieutenant governor, or commander in chief of any of his Majesty's colonies in *America*, where any such mill, engine, forge, or furnace, shall be erected or continued, shall, upon information to him made and given, upon the oath of any two or more credible witnesses, that any such mill, engine, forge, or furnace, hath been so erected or continued (which oath such governor, lieutenant governor, or commander in chief, is hereby authorized and required to administer) order and cause every such mill, engine, forge, or furnace, to be abated within the space of thirty days next after such information given and made as aforesaid; and if any governor, lieutenant governor, or commander in chief, shall neglect or refuse so to do, within the time herein before limited for that purpose, every such governor, lieutenant governor, or commander in chief, so offending, shall, for every such offence, forfeit the sum of five hundred pounds of lawful money of *Great Britain*, and shall from thenceforth be disabled to hold or enjoy any office of trust or profit under his Majesty, his heirs or successors.

XI. And it is hereby further enacted by the authority aforesaid, That the several penalties and forfeitures by this act inflicted for falsely making any stamp or certificate, herein before directed, or for erecting or continuing any mill, engine, plateing forge, or furnace prohibited by this act, or for refusing or neglecting to abate the same, shall and may be sued for and recovered by action, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland*, or in any of the courts of record in his Majesty's colonies in *America* respectively, wherein the offender shall dwell at the time when the offence shall be committed, or at the time when such action, bill, plaint, or information shall be brought; and every such action, bill, plaint, or information, to be brought in *Great Britain*, shall be laid either in the county where any such offence shall be committed, or where the offender shall dwell at the time when such action, bill, plaint, or information shall be brought.

XII. And be it further enacted by the authority aforesaid, That all such penalties and forfeitures shall be applied, one moiety

ety to the uſe of his Maſteſty, his heirs and ſucceſſors, and the other moiety to ſuch perſon or perſons as ſhall ſue for the ſame.

XII. And it is hereby further enacted by the authority aforeſaid, That all bar iron which ſhall be imported from any of his Maſteſty's colonies in *America* into the port of *London*, by virtue or under the authority of this preſent act, ſhall be entered at the cuſtom-houſe in *London*; and every bar of the ſaid iron ſo entered, ſhall be marked or ſtamped with ſuch mark or ſtamp as the commiſſioners of his Maſteſty's cuſtoms ſhall for that purpoſe order or direct, in three different parts of every ſuch bar (that is to ſay) two of the ſaid marks or ſtamps at the diſtance of one yard from each end of ſuch bar, and the other of them at or near the middle thereof.

Iron imported on this act, to be entered at the cuſtom-houſe in London, and to be ſtamped in 3 different parts.

XIV. And it is hereby further enacted, That if any perſon ſhall counterfeit, or willfully deſtroy or deface, any of the ſaid marks or ſtamps, with an intent to convey or carry the ſame to any place ten miles from any part of the port of *London*, contrary to the true meaning of this act, every perſon ſo offending, and being thereof legally convicted, ſhall forfeit the ſum of one hundred pounds, to be recovered by action of debt, bill, plaint, or information, in any of his Maſteſty's courts of record at *Weſtmiſter*; one moiety thereof to his Maſteſty, his heirs and ſucceſſors, and the other moiety to ſuch perſon or perſons who ſhall ſue for the ſame.

Penalty of counterfeiting or defacing the ſtamps.

XV. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of *June*, every governor or lieutenant governor, or commander in chief of any of his Maſteſty's colonies in *America*, ſhall forthwith tranſmit to the commiſſioners for trade and plantations, a certificate under his hand and ſeal of office, containing a particular account of every mill or engine for ſlitting and rolling of iron; and every plateing forge to work with a tilt hammer; and every furnace for making ſteel, at the time of the commencement of this act, erected in his colony; expreſſing alſo in the ſaid certificate ſuch of them as are uſed, and the name or names of the proprietor or proprietors of each ſuch mill, engine, forge and furnace, and the place where each ſuch mill, engine, forge, and furnace is erected, and the number of engines, forges, and furnaces in the ſaid colony; and if any governor, lieutenant governor, or commander in chief, ſhall neglect or reſuſe ſo to do within fix months after the ſaid twenty fourth day of *June*, every ſuch governor, lieutenant governor, or commander in chief ſo offending, ſhall be ſubject to ſuch penalties and forfeitures, as any governor, or lieutenant governor of any of the ſaid colonies is liable to for any offence committed againſt this act, to be recovered in like manner, as is by this act directed for the ſame.

Governors to tranſmit certificates of mills for ſlitting iron, &c.

XVI. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be commenced againſt any perſon or perſons for any thing done in purſuance of this act, the defendant or defendants in any ſuch action or ſuit may plead the general iſſue, and give this act and the ſpecial matter in evi-

General iſſue, dence,

dence, at any trial to be had thereupon; and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared; or if judgement shall be given upon a verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same, as any defendant or defendants hath or have in other cases by law.

Treble costs.

Publick act.

XVII. And be it further enacted by the authority aforesaid, That this act shall be deemed a publick act, and be judicially taken notice of such, by all judges, justices, and other persons whatsoever, without specially pleading the same.

### C A P. XXX.

*An act for the more easy and speedy recovery of small debts within the Tower Hamlets.*

WHEREAS many persons, living, residing, trading, or dealing within the several parishes, liberties, precincts, hamlets, and places herein after mentioned, do contract several debts, which in the whole amount yearly to a great sum of money, and although such debtors are well able to pay their respective debts, yet often refuse so to do, presuming on the discouragements their creditors lie under from the expence they are unavoidably put unto in suing for the same, and the delays they meet with even after judgement; and as providing an easy and speedy method for recovering of small debts, will greatly contribute to the promoting industry, and supporting and encouraging useful credit; may it therefore please your most excellent Majesty, that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for such parishioners or inhabitants of the several and respective parishes, liberties, precincts, hamlets, and places within the said *Tower Hamlets*, (the precinct of the said *Tower-within* only excepted) as have a right to assemble and meet for the choice of officers in their several and respective vestries, or other places of meeting for transacting the publick business of such parishes, liberties, precincts, hamlets, or places, and they or the greater number of them so assembled as aforesaid, are hereby respectively impowered and required on the *Tuesday* next after the feast of *Easter*, or within one month after *Easter*, in the year of our Lord one thousand seven hundred and fifty; and on every *Tuesday* next after the feast of *Easter*, in every succeeding year, to nominate, assign, and appoint in the whole, the number of two hundred and forty of the most substantial and discreet persons residing within their respective parishes, liberties, precincts, hamlets, and places, who shall each be seised of lands, tenements, or hereditaments, of the value

Parishioners to meet on Tuesday after Easter yearly, and to nominate 240 commissioners, viz. St. Mary Whitechapel, 31; Christ Church, 21; St. Leonard Short ditch 20; St. John Hackney 18; St. Matthew Bethnal Green 8;

lue of twenty pounds *per annum*, clear of all incumbrances, or  
 possessed of a personal estate of the value of five hundred pounds  
 or more, clear of all incumbrances, to be commissioners for the  
 purposes herein after mentioned and expressed in manner fol-  
 lowing; *videlicet*, such parishioners of the parish of *Saint Mary*  
*Whitechapel*, to nominate, assign, and appoint thirty one of the  
 said persons; such parishioners of the parish of *Christ Church*  
 other twenty one; such parishioners of the parish of *Saint Leo-*  
*nard Shoredith*, other twenty; such parishioners of the parish  
 of *Saint John Hackney*, other eighteen; such parishioners of the  
 parish of *Saint Matthew Bethnal Green*, other eight; such parish-  
 ioners of the parish of *Saint Mary, Stratford Bow*, other four;  
 such parishioners of the parish of *Bromley Saint Leonard*, other three;  
 such parishioners of the parish of *Saint Anne*, other eight; such  
 parishioners of the parish of *Saint Paul Shadwell*, other sixteen;  
 such parishioners of the parish of *Saint George*, other eighteen;  
 such parishioners of the parish of *Saint John Wapping*, other se-  
 venteen; such parishioners of the parish of *Saint Botolph without*  
*Aldgate*, commonly called the liberty of *East Smithfield*, other  
 fifteen; such parishioners of the parish of *Trinity Minories*, other  
 three; such parishioners or inhabitants of the hamlet of *Mile*  
*End Old Town*, other eight; such parishioners or inhabitants of  
 the hamlet of *Mile End New Town*, other three; such parish-  
 ioners or inhabitants of the hamlet of *Radcliffe*, other fifteen;  
 such parishioners or inhabitants of the hamlet of *Poplar and*  
*Blackwall*, other seven; (which said last-mentioned four hamlets,  
 are within the parish of *Saint Dunstan Stebunheath*, otherwise *Step-*  
*ney*, in the county of *Middlesex*) such inhabitants of the precinct  
 of the *Tower-without*, other six; such inhabitants of the precinct  
 of *Saint Katherine's*, other seven; such inhabitants of the pre-  
 cinct of *Well-Close*, other three; such inhabitants of the precinct  
 of the *Old Artillery Ground*, other four; and such inhabitants of  
 the liberty of *Norton Falgate*, other five; and the churchwardens  
 of each of the said respective parishes or hamlets, and the over-  
 seers of the poor of each of the respective liberties, precincts,  
 or places aforesaid, for the time being, or one of them, shall,  
 within two days next after every such nomination, cause two lists  
 to be made out, of the several persons so respectively nominated,  
 assigned, and appointed as aforesaid; and the said respective  
 churchwardens shall cause one of the lists, or a true copy there-  
 of, to be fixed and stuck up at the church door of each respec-  
 tive parish; and the overseers of the poor of each liberty, pre-  
 cinct, or place aforesaid, not being a parish of itself, shall also  
 cause one of the said lists, or a true copy thereof, to be fixed and  
 stuck up in some publick and convenient place, in each of their  
 respective liberties, precincts, or places aforesaid, not being a  
 parish of itself; and such churchwardens and overseers of the  
 poor respectively shall forthwith give or cause to be given  
 notice to all and every the commissioners so nominated, af-  
 signed, and appointed, for each of their respective parishes,  
 liberties, precincts, hamlets, and places, of their being so  
 appointed commissioners as aforesaid; and shall also within

*St. Mary, Stratford Bow* 4;  
*Bromley St. Leonard* 3;  
*St. Anne* 8;  
*St. Paul Shadwell* 16;  
*St. George* 18;  
*St. John Wapping* 17;  
*St. Botolph without Aldgate* 15;  
*Trinity Minories* 3;  
*Mile End Old Town* 8;  
*New Town* 3;  
*Radcliffe* 15;  
*Poplar and Blackwall* 7;  
*Tower without* 6;  
*St. Katherine's* 7;  
*Well Close* 3;  
*Old Artillery Ground* 4;  
*Norton Falgate* 5;

Two lists to be made out;

One to be fixed on the church door, and one in some publick place.

Notice to be given to the commissioners.

A liſt to be  
hung up in the  
court houſe.

Commiffion-  
ers conſtituted  
a court.

Three to fit  
Tueſday and  
Friday week  
ly,

and to give  
judgement,  
&c.

Perſons not  
appearing on  
ſummons,

or not con-  
forming,

may be com-  
mitted.

two days after every nomination of commiſſioners, purſuant to this act, cauſe a true copy of ſuch liſts to be made and wrote fair in one compleat liſt, taking the ſeveral pariſhes, liberties, precincts, hamlets, and places in order as they ſtand in this act, and ſhall ſtick up the ſame in ſome convenient part of the court-houſe, or other convenient place, to be provided by the ſaid commiſſioners, or the major part of them, at ſome general meeting to be held for that purpoſe; which ſaid perſons, ſo nominated and returned by the ſaid ſeveral pariſhes, liberties, ~~precincts~~, hamlets, and places reſpectively as aforeſaid, from time to time, are hereby declared, conſtituted, and appointed, to be commiſſioners to hear and determine all ſuch matters of debt as are herein after-mentioned; and ſuch commiſſioners are hereby conſtituted a court of juſtice, by the name of *The Court of Requeſts for the Tower Hamlets*; and the ſaid commiſſioners, or any three or more of them, are hereby authorized, impowered, and required to aſſemble, ſit, and hold the ſaid court twice in every week, *videlicet*, on every *Tueſday* and *Friday*, or oftener, if need be, in a court-houſe to be provided as aforeſaid for that purpoſe, in the ſaid pariſh of *Saint Mary Whitechapel*, or in ſome other convenient place near or thereunto adjoining: and the ſaid commiſſioners, ſo to be aſſigned and appointed for the time being, or any three or more of them, ſhall have power and authority, by virtue of this act, to give judgement and decree, and to award execution thereupon, with coſts, againſt the bodies, or againſt the goods and chattels of all and every the perſon or perſons againſt whom they ſhall give any judgement or decree, as to them ſhall ſeem juſt in law or equity, ſo as no perſon ſhall remain in cuſtody upon an execution for any longer ſpace of time than forty days.

II. And be it enacted by the authority aforeſaid, That if any plaintiff or creditor, defendant or debtor (after being duly warned or ſummoned to appear in the ſaid court by one of the bea- dles herein after directed to be choſen) ſhall, without ſome juſt cauſe to be allowed by the ſaid commiſſioners in court, or any three or more of them, reſuſe to appear in the ſaid court before the ſaid commiſſioners, or ſhall not perform ſuch order as the ſaid commiſſioners, or any three or more of them, ſhall make or ſet down for or concerning ſuch debts as aforeſaid, it ſhall and may be lawful to and for the ſaid commiſſioners, or any three or more of them, to commit every ſuch perſon to the common gaol or houſe of correction for the ſaid county of *Middleſex*, or to the gaol for the liberty of the *Tower of London*, if ſuch perſon ſhall reſide in the ſaid liberty, there to remain until he, ſhe, or they ſhall perform the order of the ſaid commiſſioners, ſo as no perſon ſhall remain in cuſtody for any longer ſpace of time than forty days.

III. And, for the more orderly and regular proceeding in the ſaid court, and that no undue preference may be made or given in ſummoning the ſaid commiſſioners to attend the buſineſs of the ſaid court, be it further enacted by the authority afore-  
ſaid,

faid, That the faid beadles, or one of them, who are hereby impowered and required, from time to time, so to do, shall yearly summon, or cause to be summoned, the first five persons out of the first sixty named in the faid complete list, the first five persons out of the second sixty named in the faid complete list, the first five persons out of the third sixty named in the faid complete list, the first five persons out of the fourth sixty named in the same list (making in all twenty persons) to attend as commissioners of the faid court for one calendar month, to commence at and upon the first day of *May* in each year; and so the like number of five persons next standing, and successively following in each of the faid sixty names, as they shall stand in order and rotation upon the faid complete list, to serve as commissioners from month to month, during the term for which they are to be chosen commissioners.

Commissioners to attend monthly.

IV. Provided always, That nothing herein before contained shall extend, or be construed to extend, to exclude or debar any of the persons who shall be nominated, appointed, and returned for commissioners as aforesaid, being duly qualified as aforesaid, from sitting in the faid court, although they be not in rotation; but that all such commissioners shall and may, so often as they shall respectively think fit, sit and give judgement therein; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Commissioners not in rotation may sit.

V. And be it enacted by the authority aforesaid, That from and after the faid first day of *May*, one thousand seven hundred and fifty, it shall and may be lawful to and for any person or persons who now have, or hereafter shall have any debt or debts owing unto him, her, or them, not amounting to the sum of forty shillings, by any person or persons whatsoever, residing or inhabiting, or keeping any shop, shed, stall, or stand, or seeking a livelihood, or trading or dealing within the district herein before described, or any part thereof, to cause such debtor or debtors, so resiant, inhabiting, or keeping any shop, shed, stall, or stand, or seeking a livelihood, or trading or dealing, as aforesaid, to be warned or summoned by one of the faid beadles, who is hereby appointed, authorized, and required to execute all warrants, precepts, and procefs of the faid court of requests, by personal service, or by writing left at the dwelling-house, or place of abode, shop, shed, stall, stand, or any other place of dealing of such debtor or debtors, to appear before the commissioners of the faid court, to be held at or in the faid court-house, or other place to be provided, as aforesaid; and that the faid commissioners, or any three or more of them, shall, after such summons as aforesaid, have full power and authority, by virtue of this act, from time to time, to make or cause to be made, such acts, order or orders, decrees, judgements, and proceedings, between such party or parties, plaintiffs, and his, her, or their debtor or debtors, defendants, touching such debts, not amounting to the sum of forty shillings, as they shall find to stand with equity and good conscience; and all such acts, order or orders,

Power to sue resiants for any debt under 40 s.

Beadle to summon the debtor, &c.

After summons the commissioners to give judgement.



Orders, &c.  
of the court to  
be registered.

orders, decrees, judgements, and proceedings, shall be entred and registred in a book or books, to be kept for that purpose by the clerks of the said court, or one of them, and shall be observed, performed, and kept in all parts, as well by the plaintiff, as the debtor or defendant.

Commission-  
ers may admin-  
ister oaths to  
the parties.

VI. And for the more due and regular proceeding in the said court intended to be established by this act, it is hereby further enacted, That it shall and may be lawful for the said commissioners, or any three or more of them, to administer an oath to the plaintiff or defendant, and to such witnesses or witnesses as shall be produced by each party, and also to all or any of the officers of the said court, for or concerning any business relative thereunto, if the same commissioners, or any three or more of them, shall so think it meet.

If action for  
debt under  
40 s. shall be  
sued in any  
other court,

VII. And be it further enacted by the authority aforesaid, That if in any action of debt, or action on the case upon an *Assumpsit* for recovery of any debt to be sued or prosecuted against any person or persons aforesaid, in any of the King's courts at *Westminster*, or elsewhere, out of the said court of requests, and it shall appear to the judge or judges of the court where such action shall be sued or prosecuted, that the debt to be recovered by the plaintiff in such action doth not amount to the sum of forty shillings, and the defendant in such action shall duly prove, by sufficient testimony, to be allowed by any the judge or judges of the court where such action shall depend, that at the time of commencing such action, such defendant was inhabiting and resident within the district herein before described, or any part thereof, and was liable to be warned or summoned before the said court of requests for such debt, then, and in such case, the said judge or judges shall not allow to the said plaintiff any costs of suit; but shall award that the said plaintiff shall pay so much ordinary costs to the party defendant, as such defendant shall justly prove before the said judge or judges it hath truly cost him in defence of the said suit.

the plaintiff  
to pay costs;

unless the  
judge certify  
there was a  
reasonable  
cause of ac-  
tion.

VIII. Provided always, and be it enacted by the authority aforesaid, That where the plaintiff shall upon any action brought in any of the King's courts at *Westminster*, or in any of the courts of great session of *Wales*, or counties palatine, obtain a verdict for less than forty shillings, if the judge or judges, who shall try the said cause, shall certify, that there was a probable or reasonable cause of action for forty shillings or more, in every such case, the plaintiff shall not be liable to pay costs, but shall recover his costs of suit, as if this act had not been made.

then the plain-  
tiff to have  
costs.

Method of  
proceeding  
when any shall  
insult the  
court.

IX. And, for the more effectual establishing of the said court of requests, and the better enforcing the orders and decrees which shall be made by the said commissioners; and that the said commissioners may be invested with proper power and authority, and be free and exempt from any insults or abuses; be it further enacted by the authority aforesaid, That if any person or persons shall contemptuously affront, insult, or abuse all or any of the commissioners of the said court, during their sitting in

in the ſaid court, it ſhall and may be lawful to and for the ſaid beaſles, or one of them, by order of the ſaid commiſſioners then ſitting, or the major part of them, being three or more, to take ſuch perſon or perſons ſo offending as aforeſaid, into cuſtody, and carry him, her, or them before one or more of his Maſteſty's juſtice or juſtices of the peace for the county of *Middleſex*, if the ſaid offence be committed within the ſaid county; or before one or more juſtice or juſtices of the peace for the liberty of his Maſteſty's *Tower of London*, if the offence be committed within that liberty, to answer ſuch affront, inſult, or abuſe; and upon the fact alledged being duly proved, upon the oath or oaths of one or more credible witneſs or witneſſes, againſt him, her, or them, then, and in ſuch caſe, the ſaid juſtice or juſtices ſhall proceed to puniſh ſuch perſon or perſons ſo offending as aforeſaid, by fine not exceeding twenty ſhillings, which fine ſhall be immediately paid into the hands of the ſaid juſtice or juſtices, before whom ſuch offender or offenders ſhall be carried; and if ſuch offender or offenders ſhall not ſo pay the ſaid fine in manner as aforeſaid, it ſhall and may be lawful for the ſaid juſtice or juſtices for the ſaid county of *Middleſex*, or the liberty of the *Tower* aforeſaid, by warrant under his or their hand and ſeal, or hands and ſeals, to commit ſuch offender or offenders to the common gaol, or houſe of correction for the ſaid county of *Middleſex*, or to the ſaid gaol for the ſaid liberty, where the ſaid offence ſhall happen reſpectively to be committed, there to remain for any time not exceeding the ſpace of one calendar month, or until he, ſhe, or they ſhall have paid the ſaid fine; and ſuch fine, when received by the ſaid juſtice or juſtices, ſhall be immediately paid over into the hands of the churchwardens or overſeers of the poor of the pariſh, liberty, hamlet, precinct, or place, where ſuch offence ſhall be committed, or where the party ſhall reſide at the time of committing ſuch offence, to be applied towards the relief of the poor of ſuch pariſh, liberty, precinct, hamlet, or place.

Fine not to exceed 20s.

nor the imprisonment one month.

Application of the fine.

X. And be it further enacted by the authority aforeſaid, That the clerks of the ſaid court, or one of them, ſhall fix, or cauſe to be fixed or ſtuck up, in the moſt publick part of the court houſe aforeſaid, for the ſaid *Tower Hamlets*, or other place where the ſaid commiſſioners ſhall ſit to do buſineſs as aforeſaid, a true copy of the preceding claufe of this act, to the end that no perſon or perſons ſhall or may pretend ignorance in the premiſſes.

Copy of the preceding claufe to be hung up in the court.

XI. And be it further enacted by the authority aforeſaid, That in caſe any perſon or perſons ſhall make oath, or give evidence, in any cauſe depending in the ſaid court of requeſts, whereby he, ſhe, or they, ſhall commit any wilful or corrupt perjury, and thereof be duly convicted according to law, then every ſuch perſon or perſons ſhall incur and ſuffer the like pains and penalties, as any other perſon or perſons convicted of wilful perjury, according to the laws and ſtatutes of this realm.

Penalty of perjury.

XII. And be it enacted by the authority aforeſaid, That the commiſſioners ſo nominated, aſſigned, and appointed as aforeſaid,

Commissioners to meet on 1 May, 1750,

and choofe  
clerks, and  
beadles.

faid, shall and may meet at the faid court-houfe, or fome other convenient place in the faid *Tower Hamlets*, on *Tuesday* the firft day of *May*, in the year one thoufand feven hundred and fifty, or within one month afterwards, in the forenoon of the fame day; and then and there the faid commissioners, or the greater number of them then prefent, fhall and may, and they are hereby impowered and required by ballot to choofe clerks of the faid court, not exceeding four, nor lefs than two; and alfo beadles of the fame court, not exceeding four; who fhall continue clerks and beadles of the faid court, during fo long time as they fhall behave themfelves well in their refpective offices.

Commission-  
ers difqualifi-  
ed from being  
clerks, &c.  
On the death,  
or refignation  
of any of the  
clerks or bea-  
dles, the com-  
missioners to  
elect others.

XIII. Provided always, That no commissioner fhall be capable of holding the office of clerk, or any other place of profit belonging to the faid court.

XIV. And be it further enacted by the authority aforefaid, That it fhall and may be lawful for the faid commissioners in court, or the major part of them then prefent, on the next court day after the death or refignation of the faid clerks or beadles, or any or either of them, or fo foon after as the fame is publickly known; and they are hereby required to caufe the whole number of commissioners to be fummoned, who next before fuch death or refignation were nominated and returned as aforefaid (by giving them four days notice at leaft) to meet at the place aforefaid, within twenty days next after their being fummoned as aforefaid; and fuch commissioners at fuch meeting are hereby authorized, impowered, and required by ballot to choofe another perfon or perfons, in the room of fuch clerks and beadles, or any or either of them, fo dying or refigning as aforefaid, for the ufes and purpofes in this act contained; and fo, from time to time, upon every fuch vacancy of the faid office of clerk or beadle, for ever.

Commission-  
ers to be  
fwmn.

XV. And be it further enacted by the authority aforefaid, That no perfon or perfons fhall be capable of acting as a commissioner or commissioners in the execution of the powers given by this act, until fuch time as he and they fhall refpectively have taken an oath to the effect following;

The oath.

**I** A. B. do swear, That I will faithfully, impartially, and honeftly, according to the beft of my judgement, hear and determine fuch matters and things as fhall be brought before me, by virtue of an act of parliament intituled, An act for the more eafy and speedy recovery of fmall debts within the *Tower Hamlets*) without favour or affection to either party; and that I am now feifed of lands, tenements, or hereditaments, of the value of twenty pounds per annum, clear of all incumbrances, or that I am poffeffed of a perfonal eftate of the value of five hundred pounds, clear of all incumbrances whatfoever.

Which oath three of the perfons to be affigned, nominated, and appointed commissioners as aforefaid, are hereby impowered to adminifter, or caufe to be adminiftered, and a memorial thereof fhall be entered in the register of the faid court.

XVI. And

XVI. And be it further enacted by the authority aforesaid, That the several fees and fums of money hereafter limited and expreffed, and no more or greater fees fhall and may be taken for the refpective fervices of the clerks and beadles; that is to fay,

For every fummons, to the clerks, three pence; to the beadles, two pence.

For every hearing, to the clerks, three pence.

For calling the defendant before the court, when he or ſhe refuſe to appear, to the clerks, two pence; to the beadles, one penny.

For an attachment againſt the defendant for not appearing to the fummons, to the clerks, fix pence; to the beadles, one ſhilling.

For an execution, to the clerks, eight pence; to the beadles, one ſhilling.

For paying money into court, to the clerks, fix pence.

For acknowledging ſatisfaction in full, to the clerks, four pence.

For acknowledging ſatisfaction in part, to the clerks, two pence.

For ſearching the books, to the clerks, two pence.

For a nonſuit on the plaintiff's not appearing, to the clerks, two pence.

XVII. Provided always, That a yearly account ſhall be given upon oath, by the ſaid ſeveral clerks and beadles, before the ſaid commissioners, fitting in court, or any three of them, of the amount of the fees by them ſeverally received; and that if the fees hereby appointed to be taken for the ſervices of the clerks, ſhall, in any one year, exceed two hundred pounds to each clerk, clear of all charges; and the fees for the ſervices of the beadles, exceed ſixty pounds to each beadle, clear of all charges, it ſhall and may be lawful for the commissioners at a general meeting to be held and ſummoned for that purpoſe, to order the ſurplus to be divided between the clerks and beadles in proportion to their refpective fums of two hundred pounds, and ſixty pounds *per annum*, and to order for the future that the ſaid fees be reduced, ſo as to bring in, as near as may be, the ſaid refpective fums of two hundred pounds a year to each of the clerks, and the ſaid refpective fums of ſixty pounds a year to each of the beadles; and if at any time after ſuch reduction, the buſineſs of the ſaid court ſhall decline, ſo as not to produce the ſaid ſeveral fums of two hundred pounds a year to each clerk, and the ſaid ſeveral fums of ſixty pounds a year to each beadle, it ſhall be lawful for the ſaid commissioners at a general meeting as aforesaid, to reduce the number of clerks, or increaſe the fees again, ſo as they do not at any time exceed the preſent ſettled fees.

An account upon oath, of the fees, to be given yearly, if the ſame exceed 200l. to each clerk, or 60l. to each beadle, the ſurplus to be divided,

or the fees reduced, &c.

XVIII. And be it enacted by the authority aforesaid, That a Table of the table

fees to be  
hung up.

Penalty of tak-  
ing greater  
fees, &c.

Proceeding  
againſt clerks,  
&c. where the  
offence de-  
ſerves a great-  
er puniſh-  
ment.

Certain debts  
excepted.

table of the aforeſaid fees ſhall be hung up by the clerks of the ſaid court, or one of them, in ſome publick and conſpicuous part of the ſaid court-houſe, or other place where the ſaid commiſſioners ſhall meet for the purpoſes aforeſaid, to the end that all perſons concerned may at all times ſee and read over the ſame; and if the ſaid clerks or beadles, or either of them, for the time being, ſhall take or demand any greater or other fees than as above-mentioned, or ſhall otherwiſe miſbehave himſelf or themſelves in the execution of his or their office, then he or they for every ſuch offence ſhall forfeit and pay ſuch fine, not exceeding the ſum of twenty pounds, as the ſaid commiſſioners, or any three of them ſhall aſſeſs, to be applied to the uſe of the ſick, in the *London* infirmary.

XIX. And be it further enacted by the authority aforeſaid, That upon complaint made by any perſon or perſons, of the miſbehaviour or breach of duty of the clerks or beadles, or any or either of them, to be appointed by virtue of this act, or of any clerk or clerks, beadle or beadles, in taking or demanding any greater or other fees than as above-mentioned; and if it ſhall appear to the ſaid commiſſioners, or the major part of them then preſent, that ſuch complaint deſerves a greater puniſhment, then ſuch commiſſioners ſo fitting in court are hereby directed and required to cauſe the whole number of commiſſioners to be ſummoned to meet as ſoon as conveniently may be, by notice in writing to be given to all the ſaid commiſſioners reſpectively by the beadles aforeſaid, or any other perſon or perſons the commiſſioners ſhall direct, at leaſt four days before the holding of ſuch meeting; and the ſaid commiſſioners ſo ſummoned, and then preſent, being not leſs than ſixty, ſhall and may examine into the merits of ſuch complaint; and if it ſhall then appear to the ſaid commiſſioners, or the major part of them, that ſuch clerks or beadles, or any or either of them, have or hath been guilty of miſbehaviour or breach of duty as aforeſaid, in his or their office, or in taking any greater or other fees than above-mentioned, that then it ſhall and may be lawful to and for the ſaid commiſſioners, or the major part of them, to ſuſpend or remove ſuch clerks and beadles, or any or either of them, from his or their ſaid office, and to call another general meeting of the whole commiſſioners, by giving two days notice at leaſt, in writing, as aforeſaid, and within eight days next after the removal of ſuch clerks or beadles, or any or either of them; at which meeting all the commiſſioners, or the greater part of them, ſhall and may chooſe by ballot a clerk or clerks, beadle or beadles of the ſaid court, in the room of ſuch clerk or clerks, beadle or beadles ſo removed as aforeſaid.

XX. Provided always, That this act, or any thing herein contained, ſhall not extend to any debt for any rent upon any leaſe of lands or tenements, or any other real contract, nor to any other debt that ſhall ariſe by reaſon of any cauſe concerning teſtament or matrimony, or any thing concerning or properly belonging to the eccleſiaſtical court, albeit the ſame ſhall be under

der forty shillings; any thing herein before contained to the contrary notwithstanding.

XXI. And be it further enacted by the authority aforesaid, That no action or suit for any debt not amounting to the sum of forty shillings, and recoverable by virtue of this act in the said court of requests, shall be brought against any person residing or inhabiting within the jurisdiction thereof, in any other court whatsoever. No suit for debts recoverable by this act, to be in any other court.

XXII. And whereas the four council of the ancient court of the Marshalsea, and of the court of his Majesty's palace of Westminster, who hold their office for the terms of their natural lives respectively, and who have been made chargeable by parliament, and actually assessed to the said tax for their freeholds in their said offices, will sustain great loss by this present act, unless a compensation shall be made to them for the same; be it therefore enacted by the authority aforesaid, That the clerks of the said court of requests for the time being shall, and they are hereby required out of the fees limited or to be paid to be paid to each be limited to the said clerks by virtue of this present act, to pay of the four or cause to be paid unto John Lawson, Lomax Martyn, George council of the Weller, and John Le Gros Spelman, esquires, the present council of the said ancient court of the Marshalsea, and the court of his Majesty's palace of Westminster, as a compensation for the loss they will sustain in their said offices by this present act, for and during the terms of their respective natural lives, the yearly sum of thirty pounds a piece, of lawful money of Great Britain, (free and clear of and from all charges and deductions whatsoever) to be paid to them severally and respectively, yearly and every year, at or upon the several feast days following; that is to say, the feast of Saint Michael the Archangel; the feast of the nativity of our Lord Christ; the feast of the annunciation of the Blessed Virgin Mary; and the feast of the nativity of Saint John the Baptist, by even and equal portions; the first payment thereof to begin and to be made at or upon the feast day of Saint Michael the Archangel, in the year of our Lord one thousand seven hundred and fifty. 30l. per ann. to be paid yearly to each of the four council of the Marshalsea.

XXIII. Provided always, That nothing in this act contained shall extend, or be construed to extend, to restrain the ancient court of record, held for and within the liberty of the Tower of London, from holding plea of any personal action, the cause of which shall arise within the precinct of the fortress of the said Tower commonly called *The precinct of the Tower within*, or from holding plea of any personal action (other than actions for debts not amounting to the value of forty shillings, the cause of which shall arise in any part of the liberty of the said Tower, out of the said precinct of the Tower within) or to take away or abridge any jurisdiction, authority, privilege, immunity, or exemption, which the chief governor of the said Tower, or his deputy or deputies, or any officers or ministers, or inhabitants within the said liberty, enjoys or enjoy, or ought to enjoy by virtue of any law, usage, custom, prescription, grant, charter, or commission; any thing in this act to the contrary thereof in any wise notwithstanding. This act not to extend to the precinct of the Tower within, &c,

XXIV. And

Limitation of  
actions.

XXIV. And be it enacted by the authority aforesaid, That if any action or suit shall be brought or commenced against any person or persons for any matter or thing done or to be done in pursuance of this act, then and in such case such action or suit shall be brought or commenced within three calendar months next after the fact committed, and not afterwards, and the defendant or defendants in such action or suit to be brought shall and may plead the general issue, and give this act, and the special matter in evidence, at any trial to be had thereupon; and if the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or actions, suit or suits; or if upon verdict or demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have such remedy for the same, as any defendant or defendants hath or have in any other cases by law.

General issue.

Treble costs.

Publick act.

XXV. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such by all judges, justices, and all other persons whatsoever, without specially pleading the same.

### C A P. XXXI.

*An act for extending and improving the trade to Africa.*

Free trade to  
Africa.

WHEREAS the trade to and from Africa is very advantageous to Great Britain, and necessary for the supplying the plantations and colonies thereunto belonging with a sufficient number of negroes, at reasonable rates; and for that purpose the said trade ought to be free and open to all his Majesty's subjects; therefore be it enacted, and it is hereby enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for all his Majesty's subjects to trade and traffick to and from any port or place in Africa, between the port of Sallee in South Barbary, and the Cape of Good Hope, when, and at such times, and in such manner, and in or with such quantity of goods, wares, or merchandizes, as he or they shall think fit, without any restraint whatsoever, save as is herein after expressed.

Traders in-  
corporated,  
&c.

Their name,

II. And be it enacted by the authority aforesaid, That all his Majesty's subjects, who shall trade to or from any of the ports or places of Africa, between Cape Blanco, and the Cape of Good Hope, shall for ever hereafter be a body corporate and politick, in name, and in deed, by the name of *The Company of Merchants, trading to Africa*; and by the same name shall have perpetual succession, and shall have a common seal; and by that name shall and may sue, and may be sued, and do any other act, matter and thing, which any other body corporate or politick, as such, can or may lawfully do.

III. And

III. And, the better to uphold, maintain, and defend, all such ~~forts~~ factories, and settlements, on the coast of *Africa*, as now are erected, ~~on~~ hereafter shall be thought necessary to be erected, for the securing and better carrying on the said trade, be it further enacted by the authority aforesaid, That all and every the *British* forts, settlements, and factories on the coast of *Africa*, beginning at *Cape Blanco* aforesaid, and extending from thence to the *Cape of Good Hope* inclusive, and all other the regions, countries, dominions, territories, continents, ~~coasts~~, ports, bays, rivers, and places, lying and being within the aforesaid limits, and the islands near adjoining to those coasts, and comprehended within those limits, which are now claimed by, or are in the possession of, the *Royal African Company* of England, or which may be hereafter in the possession of the company hereby established, shall, from and after the passing of an act of parliament for divesting the *African* company of their charter, forts, castles, and military stores, canoe men, castle slaves, and all other their property on the coast of *Africa*, their goods and merchandizes only excepted, be absolutely vested in the said new company established by this act and their successors, to the intent and purpose that the said forts, settlements, and premisses, shall be employed at all times hereafter, only for the protection, encouragement, and defence, of the said trade.

The forts, settlements, and factories, &c. of the *Royal African Company* vested in the new company.

IV. And it is hereby further enacted by the authority aforesaid, That it shall not be lawful for the company established by this act, to trade to or from *Africa* in their corporate or joint capacity, or to have any joint or transferrable stock, or to borrow or take up any sum or sums of money on their common seal.

Company prohibited to trade in their joint capacity, &c.

V. And be it further enacted by the authority aforesaid, That the direction and management of the affairs of the said company hereby established, shall be in and by a committee of nine persons, to be chosen annually, as hereafter is mentioned, who are to meet and assemble together, from time to time, as often as shall be necessary, at some place in the city of *London*; and the committee-men for the time being, or any five or more of them, or the major part of them so assembled, shall, from and after the passing such act of parliament for divesting the *African* company of their charter, forts, castles, and military stores, canoe men, castle slaves, and all other their property on the coast of *Africa*, as aforesaid, or before the passing such act, so far as the said *African* company shall consent thereto, have full power, from time to time, to make orders for the governing, maintaining, preserving, and improving the forts and factories already built, or which hereafter shall be built, within the limits aforesaid; and to appoint governors, deputy governors, or any other officers, civil or military, of or for the said forts and settlements, and them to remove and displace when they shall see fit, and to make orders and regulations for the better government of the said officers and servants abroad, and to take security from them for their good behaviour, and for their paying due obedience to the regulations established by this act, and to such other orders and regulations as the said committee shall, from time to time, think

A committee of nine to be chosen annually to manage the affairs of the company.



No restraint  
to be laid on  
the trade, or  
traders.

proper to make; so as no orders or regulations, to be made by the said committee, shall tend to lay any restraint whatsoever on the said trade or traders to or from *Africa*, contrary to the true intent and meaning of this act.

Traders who  
shall pay 40s.  
for their free-  
dom in the  
company, to  
meet on 10  
July, and  
choose the first  
committee;

VI. And be it further enacted by the authority aforesaid, That the traders, or persons intending to trade to or from *Africa*, who, in order to be admitted into the freedom of the said company, shall, on or before the thirtieth day of *June*, one thousand seven hundred and fifty, have paid into the hands of the chamberlain of the city of *London*, the sum of forty shillings each for their freedom in the said company, shall or may meet and assemble on the tenth day of *July*, one thousand seven hundred and fifty, in the guildhall of the said city; and they, of the major part of them so assembled, shall or may choose three persons: and that in like manner such others of the traders to or from *Africa* who, in order to be admitted into the freedom of the said new company, shall, on or before the said thirtieth day of *June*, one thousand seven hundred and fifty, have paid into the hands of the clerk of the merchants hall in the city of *Bristol*, the sum of forty shillings each for their freedom of the said company, shall or may assemble on the tenth day of *July*, one thousand seven hundred and fifty, in some convenient place in the city of *Bristol*; and they, or the major part of them so assembled, shall choose three other persons; and that in like manner such other of the traders to or from *Africa*, who, in order to be admitted into the freedom of the said new company, shall, on or before the said thirtieth day of *June*, one thousand seven hundred and fifty, have paid into the hands of the town clerk of *Liverpool*, the sum of forty shillings each for their freedom in the said company, shall or may assemble on the said tenth day of *July*, one thousand seven hundred and fifty, in the town hall of *Liverpool*; and they, or the major part of them, who shall be so assembled, shall and may choose three other persons; and the nine persons so to be chosen in the manner before expressed, shall be the first annual committee for managing the affairs of the said company, and shall continue in office for one year, and until others shall be chosen in their room respectively, as is herein after mentioned.

who are to  
continue for  
one year.

Elections to be  
on 3 July  
yearly.

VII. And it is hereby further enacted by the authority aforesaid, That in all future elections, the said committee of nine persons shall annually, on the third day of *July* in every year, be nominated and chosen as follows; that is to say, three of the said committee shall be nominated and chosen by the major part of the freemen of the said company, admitted to the freedom of the said company in *London*, who shall assemble for that purpose at *London*; three other persons to be of the said committee, shall be chosen and nominated by the major part of the freemen of the said company admitted to the freedom of the said company in *Bristol*, who shall assemble for that purpose at *Bristol*; and three other persons to be of the said committee, shall be chosen and nominated by the major part of the freemen of the said company admitted to the freedom of the said company in the

town of *Liverpool*, who shall assemble for that purpose at *Liverpool*.

VIII. And be it further enacted, That it shall and may be lawful for the major part of the freemen of the said company, made free at *London*, assembled for that purpose at *London*, from time to time, at their will and pleasure, to choose and supply one or more committee-man, or committee-men, in the place or places of any of the committee-men by them chosen, that shall happen to die, be removed, or refuse to act; and in like manner, That it shall and may be lawful for the major part of the freemen of the said company, made free at *Bristol*, assembled for that purpose at *Bristol*, from time to time, at their will and pleasure, to choose and supply one or more committee-man or committee-men, in the place or places of any of the committee-men by them chosen, that shall happen to die, be removed, or refuse to act: and that it shall and may be lawful for the major part of the freemen of the said company, made free at *Liverpool*, assembled for that purpose at *Liverpool*, from time to time, at their will and pleasure, to choose and supply one or more committee-man, or committee-men, in the place or places of any of the committee-men by them chosen, that shall happen to die, be removed, or refuse to act: and publick notice shall be inserted in the *London Gazette*, previous to every such election, by the committee for managing the affairs of the said company, of the time and place when and where such election is to be had, ten days at least before the time appointed for such election.

Power to choose other committee-men in the room of those who shall die, &c.

10 days notice of such election to be given in the *London Gazette*.

IX. Provided always, and be it further enacted by the authority aforesaid, That in case at the time appointed for the first and other elections of the said committee-men, the traders admitted to their freedom, in any one or more of the said cities and towns respectively, shall neglect to proceed to such choice; in that case, such other of the persons who shall be chosen by the traders admitted to their freedom in the other of the said cities or towns, or the major part of them, though less in number than nine, shall or may act as the committee for managing the affairs of the said company, until the next annual election; and that all elections of committee-men for managing the affairs of the said company, shall be determined by the majority of votes then present; and that in all cases, where the third day of *July* shall happen to fall or be on a *Sunday*, the annual election of committee-men shall be had and made on *Monday* the fourth day of *July*.

If no election be made by the traders of one town such as shall be elected by the other, shall manage the affairs.

Where 3 *July* shall be a *Sunday*, the election to be on the 4th.

X. Provided always, That in case of an equality of votes, the lord mayor of *London*, the mayor of *Bristol*, and the mayor of *Liverpool* respectively, shall and may determine which of such persons shall be the committee-man or committee-men.

In equality of votes, the mayor to determine.

XI. And be it further enacted by the authority aforesaid, That the said committee for managing the affairs of the said new company, shall meet together for the first time on the first *Monday* in *August*, one thousand seven hundred and fifty, and shall then settle the manner of their future meetings, and of the notices and summons to be sent for that purpose, from time to time,

First meeting of the committee.

No orders of the committee to which all are not consenting, to be valid, unless confirmed at a subsequent meeting,

to the members of the said committee; and no order or resolution of the said committee, to which all the members of the said committee, present at the making thereof, shall not be assenting, shall be valid or binding, unless the same shall be approved and confirmed at a subsequent meeting of the said committee, at which all the members of the said committee shall be present, or of which, such of them as shall happen to be absent, shall have had the usual notice.

chairman to be chosen.

Committee-men absent at the choice of the chairman not to vote.

XII. And be it further enacted by the authority aforesaid, That on every meeting of the said committee, when the time prefixed for entering on business shall be come, and the said nine committee-men, or so many of them as are necessary to make a committee, shall be present, before they enter upon business, a chairman shall be chosen by lot out of the committee-men then present, who shall take the chair for that meeting; and shall not be permitted to give his vote that day on any question before the said committee, unless there shall happen to be an equality of votes on any question or questions; in all which cases the said chairman shall be at liberty to give his vote on which side of the question he shall judge to be right; and to prevent any of the said committee-men from being designedly absent when a chairman is to be chosen, every committee-man, who shall not be present at the choice of the chairman, shall not be permitted to vote on any question before the committee that day; but shall be at liberty to be present, and give his opinion in all matters whatsoever, as any other committee-man may do: and all matters which shall be decided by a plurality of votes of such committee-men as shall be intitled to vote, shall be deemed and taken to be decided by a majority of committee-men present; any thing in this act to the contrary notwithstanding.

Traders paying 40s. on or before 30 June, 1750, to be the first members, &c.

XIII. And be it further enacted by the authority aforesaid, That such of his Majesty's subjects, who shall, on or before the said thirtieth day of *June*, one thousand seven hundred and fifty pay to the chamberlain of *London*, the clerk of the merchants hall in *Bristol*, or the town clerk of *Liverpool* respectively, the sum of forty shillings each, for their freedom in the said company, shall be the first freemen and members of the said new company established by this act: and that, from and after the said thirtieth day of *June*, one thousand seven hundred and fifty, any other of his Majesty's subjects, trading, or intending to trade to or from *Africa*, shall and may be admitted to be a freeman or member of the said company at *London*, *Bristol*, or *Liverpool*, upon his payment of the sum of forty shillings for the same, to such person or persons, as the committee for managing the affairs of the said company shall, and are hereby required, from time to time, to appoint to receive the same in *London*, *Bristol*, or *Liverpool*, respectively.

Persons admitted after 30 June, not to vote at any election for a year.

XIV. Provided always, That no persons so admitted, after the said thirtieth day of *June*, one thousand seven hundred and fifty, shall be intitled to vote for the election of any committee-man, until one year after such admission.

**XV.** And be it further enacted by the authority aforesaid, That the chamberlain of *London*, the clerk of the merchants hall in *Bristol*, the town clerk of *Liverpool*, and such other persons whom the committee for managing the affairs of the said company shall, at any time hereafter, appoint to receive the said sums of forty shillings for the admission of persons into the freedom of the said company, shall, upon their receiving the same, sign and deliver a certificate to the person paying the same, testifying his having paid the sum of forty shillings for his being admitted into the freedom of the said company; for which certificate there shall be paid to the person appointed to receive the said sums of forty shillings, the sum of two shillings and six pence, and no more, as a fee or reward for his trouble therein, and the names and places of abode of every person paying the said sum of forty shillings, shall be entered in any book or books which the person receiving the same is hereby required to keep for that purpose.

Certificates of persons admitted.

Fee of the certificate.

Names of the company to be entered.

**XVI.** And be it further enacted by the authority aforesaid, That the chamberlain of *London*, the clerk of the merchants hall at *Bristol*, and the town clerk of *Liverpool*, shall respectively pay over the several sums of forty shillings, which shall have been paid to them for freedoms of the said company, to such person or persons whom the committee of the said company shall authorize to receive the same; and shall, at the sametime, deliver over the books, in which the names and places of abode of the persons who shall have respectively paid the said sums of forty shillings each for their freedoms in the said company, shall have been entered, to such person or persons as the said committee shall appoint to receive the same.

Sums received for freedoms, to be paid to the order of the committee, &c.

**XVII.** And be it further enacted by the authority aforesaid, That the person or persons who shall, from time to time, be appointed by the said committee at *London*, *Bristol*, and *Liverpool*, to receive the said sums of forty shillings, payable by persons on their being admitted into the freedom of the said company, shall annually, or oftener, if required by the said committee, pay and deliver over all such sums, which shall have been paid to them respectively for freedoms in the said company, together with lists of the names and places of abode of the persons from whom they shall have respectively received the same, to the said committee, or as they shall, from time to time, direct.

Receivers to pay the same annually, and to deliver lists of the names.

**XVIII.** And be it further enacted by the authority aforesaid, That a true and exact list shall, from time to time, be made and kept at the office or place where the said committee shall transact their business in *London*, of the names and places of abode of all persons admitted into the freedom of the said company, distinguishing the place where each person was admitted; which list shall annually, ten days at least before the annual elections, be printed and delivered, without fee or reward, to such of the persons admitted into the freedom of the said company, who shall desire the same.

List of the company to be kept at the office,

and to be printed annually before the elections.

**XIX.** And be it further enacted by the authority aforesaid,

None to be chosen into the committee above 3 years successively, &c.

or to trade in partnership, &c.

Committee may vest the money in the purchase of goods to be sent to Africa, for the use of the settlements;

but not carry on a trade to and from Africa.

Books of the receipts and payments to be opened.

The commissioners for trade may remove any of the committee-men, officers, &c.

On removal of a committee-man, notice to be given.

Commissioners to summon and hear any

That no person shall be capable of being chosen, or acting as a committee-man, above three years successively; and two or more persons, who shall be in copartnership in trade, shall not be capable to be chosen or act as committee-men, during the same time or year: and the said nine persons or any of them, shall not, during such time as they shall be of the said committee, in any manner, directly or indirectly, trade jointly, or in copartnership to *Africa*, or lade, or cause to be laden, any goods or merchandizes on board the same ship, in which any one of the said nine committee-men shall, for that voyage, have before laden goods to be carried to any place in *Africa*.

XX. And be it further enacted, That the said committee shall and may, from time to time, invest such part of the money in their hands, as they shall judge necessary, in the purchase of goods and stores, which, after the same are insured, which they are hereby impowered and required to procure to be done, are to be sent and exported to *Africa*, there to be sold, disposed of, and applied for the sole use, preservation, and improvement of the forts and settlements there, and for the payment of the salaries and wages to the officers, and other persons employed for keeping and preserving the said forts and settlements, and not otherwise: but it shall not be lawful for the said committee to carry, or cause to be carried, or exported from *Africa*, any negroes, or other goods, in return for the said goods they shall so export from *Great Britain*, or in any other manner to carry on any trade to or from *Africa*: and a just and true account of the said committee's receipts and payments shall, from time to time, be kept in a book or books for that purpose: which book or books shall be open at the office or place where the said committee shall transact the affairs and business of the said company in *London*, to be perused at all seasonable times by any person admitted to the freedom of the said company, without fee or reward.

XXI. And be it further enacted by the authority aforesaid, That the commissioners for trade and plantations are hereby authorized and impowered from time to time, in case any of the said committee-men, or any officer or servant appointed by them, shall be guilty of any misbehaviour, contrary to the true intent and meaning of this act, to remove any of the said committee-men, officers, or servants, from their employments, giving notice of such removal, and specifying the causes thereof, to the said committee, and when a committee-man, shall be so removed, the said committee shall give notice forthwith to the mayor of the city or town by whom the said committee-man was chosen, to elect another in the room or stead of him so removed; and if an officer or servant shall be so removed, the said committee are hereby impowered to appoint another in the room or stead of him or them so removed.

XXII. Provided nevertheless, That whenever any committee-man shall be charged with misbehaviour in his employment, the commissioners for trade and plantations shall summon each

com-

committee-man to appear before them, and shall, in case he attends, hear such committee-man; and upon his attendance or default, examine into the truth of the said charge, before they shall remove him from his employment as aforesaid; any thing herein contained to the contrary notwithstanding.

committee-man charged with misbehaviour.

XXIII. And be it further enacted by the authority aforesaid, That the said committee shall, and they are hereby required to render a just and perfect account of all their transactions once a year, to the commissioners for trade and plantations, or oftener, & thereunto required by the said commissioners, or any three or more of them; in which shall be contained an account of all the monies received and disbursed by the said committee, or their order; and also an account of all the orders and instructions given by the said committee, as well to their officers and servants in *Great Britain*, as on the coast of *Africa*; and all the answers given thereto by the said officers and servants employed by the said committee; and of all other matters or thing whatsoever which shall be transacted by the said committee.

Committee to give the commissioners an account yearly of their proceedings, &c.

XXIV. And be it further enacted by the authority aforesaid, That the said committee, out of the monies they shall receive, shall deduct annually a sum, not exceeding the sum of eight hundred pounds, for defraying, in the first place, the salaries of their clerks and agents at *London*, *Bristol*, and *Liverpool*, the house-rent of their office in *London*, and all other charges of management, commission or agency, in *England*; and the residue of the said eight hundred pounds shall be shared and divided amongst themselves, as they shall judge proper, as a compensation for their trouble and attendance in the said office of committee-men; and the rest of the monies which the said committee shall receive for the admission of persons into the freedom of the said company, or otherwise, shall be applied and appropriated wholly to the maintenance, support, and improvement of the forts and settlements already built, or which hereafter shall be built, on the coast of *Africa*, which shall be in the possession of the said company; and for keeping them in good repair; and for providing ammunition, and other stores, and officers and soldiers to defend the same; and for paying the said officers and soldiers; and to and for no other use or purpose whatsoever.

Application of the monies received by the committee.

XXV. And be it further enacted by the authority aforesaid, That the said committee shall, within one month after the expiration of the year for or during which they shall have been chosen committee-men, lay before the cursitor baron of the court of *exchequer*, an account of all the money received by the committee during the preceding year, and of the application thereof, upon oath; and the said cursitor baron shall, within one month after the said account shall be laid before him, examine, pass, and audite the same; and for the better discovering of the truth of such account, the said cursitor baron is hereby empowered to examine any of the said committee-men, and such other person or persons as he shall judge necessary, upon oath,

Committee, at the expiration of the year, to lay their accounts before the cursitor baron;

and a copy thereof, and of their proceedings, before the parliament,

and before a general meeting.

Traders not to be obstructed.

The buildings to be free for warehouses;

and for safety of their persons.

Traders may build houses under the protection of the forts.

Penalty on masters of vessels committing violence, &c. on the natives.

oath, touching the articles or particulars in such account expressed, or such of them as the said auditor baron shall think fit; which account, so audited and passed by the auditor baron, shall be final and conclusive, and shall be a full and absolute discharge to the said committee-men, without their being compelled to give or render any further or other account thereof; and the said committee shall, every session of parliament, lay before the parliament a copy of such annual account, audited as aforesaid, and of all orders and regulations made by them in the preceding year, relating to the said forts and settlements, or the government of their officers or servants employed therein; and copies of every such annual account, orders, and regulations, shall be annually laid before a general meeting of the members of the said company, to be had in *London*, *Bristol*, and *Liverpool* respectively; of which fourteen days notice shall be previously given in the *London Gazette*.

XXVI. And be it further enacted by the authority aforesaid, That no officer, or any other person to be employed by the said committee, at any of the forts or settlements built or to be built in *Africa*, shall at any time hereafter, in any manner, or on any pretence, obstruct or hinder any of his Majesty's subjects in trading; and that the forts, warehouses, and buildings, already erected, or which shall hereafter be erected, by the said company, shall and may at all times hereafter be free and open to all his Majesty's subjects, to be used as warehouses for depositing gunpowder, gold, elephants teeth, wax, gums, and drugs, and no other goods.

XXVII. Provided nevertheless, That the said forts, warehouses, and buildings, may and shall, in case of necessity or danger, be free and open to all his Majesty's subjects, for the safety of their persons, and security of all their effects whatsoever.

XXVIII. And be it enacted by the authority aforesaid, That it shall and may be lawful for any of his Majesty's subjects trading to *Africa*, for the security of their goods or slaves, to erect houses and warehouses, under the protection of the said forts, or elsewhere in any other part of *Africa* within the limits aforesaid, for the better carrying on of his or their trade there; which houses and warehouses shall be the property of the person or persons who shall build the same; but shall not be disposed of, or lett, to any foreigner whatsoever.

XXIX. And be it further enacted by the authority aforesaid, That no commander or master of any ship trading to *Africa*, shall by fraud, force, or violence, or by any other indirect practice whatsoever, take on board, or carry away from the coast of *Africa*, any negro or native of the said country, or commit, or suffer to be committed, any violence on the natives, to the prejudice of the said trade; and that every person so offending, shall, for every such offence, forfeit the sum of one hundred pounds of lawful money of *Great Britain*; one moiety thereof to the use of the said company hereby established, and their successors;

officers, for and towards the maintaining the said forts and settlements, and the other society to and for the use of him or them who shall inform or sue for the same.

XXX. And be it further enacted by the authority aforesaid, That the lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral of *Great Britain* for the time being, shall, from time to time, give instructions to the captains of such of his Majesty's ships of war as shall be stationed or ordered to cruise within the limits aforesaid, from time to time, to inspect and report to them the state and condition in which the said forts and settlements shall be; and the officers of such forts are required to permit such captains to view and inspect the same; and copies of all such reports shall, every session of parliament, be laid before parliament.

Instructions to be given to captains of men of war, to inspect the condition of the forts. Reports to be laid before parliament.

XXXI. And be it further enacted by the authority aforesaid, That such commission officers of his Majesty's navy, as the lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral of *Great Britain*, for the time being, shall appoint for that purpose, shall inspect and examine the state and condition of the forts and settlements on the coast of *Africa*, in the possession of the said royal *African* company, and of the number of soldiers therein, and also the state and condition of the military stores, castles, slaves, canoes, and other vessels and things, belonging to the said company, and necessary for the use and defence of the said forts and settlements, and shall with all possible dispatch report how they find the same, to the said lord high admiral, or commissioners for executing the said office; and the said company, and their officers and servants, are hereby required to permit the said officers of the navy to make such inspection and examination, and to assist them therein; a copy of which report shall be laid before parliament at the beginning of the next session.

Officers of the navy to inquire into the condition of forts, &c.

XXXII. And be it further enacted by the authority aforesaid, That the accountant general of the high court of *Chancery* for the time being, and such two of the other masters of the said court, as the lord high chancellor of *Great Britain* for the time being, or lord keeper of the great seal of *Great Britain* for the time being, or the lords commissioners for the great seal of *Great Britain* for the time being, shall, from time to time, nominate for that purpose, shall be, and they are hereby constituted and appointed commissioners for examining into the claims of the creditors of the said royal *African* company: and such commissioners, or any two of them, are hereby impowered and required, by the examination of the parties interested, or the testimony of witnesses upon oath, or by the inspection and examination of the books, deeds, writings, and accounts of the said company, and their creditors respectively, or otherwise, according to their discretion, to examine into the said claims, and to enquire and state how and when the same were respectively incurred, and for what consideration the same were originally, really, and *bona fide*, contracted or became due; and upon what

Commissioners appointed to examine the claims of the creditors, &c.

confi-



consideration, and when the claimants became respectively intitled thereto, together with their opinion of the justice and reasonableness of such debts respectively: and for that purpose all and every the creditors of the said company are hereby required on or before the respective days and times hereafter limited and appointed for that purpose, to deliver or cause to be delivered in writing under their respective hands, or the hands of persons by them respectively authorized, unto such officer or officers, and at such place within the city of *London*, as the said commissioners, or any two of them shall appoint, of which notice shall be given in the *London Gazette*, a just and true account of their respective claims upon the said company, together with a true copy of the securities by which they respectively claim the same, and such of the said creditors as reside in *Great Britain* or *Ireland*, shall make their respective claims on or before the thirtieth day of *August*, one thousand seven hundred and fifty, and such of them as are resident on the coast of *Africa*, or elsewhere beyond the seas, shall make their respective claims on or before the thirtieth day of *December*, one thousand seven hundred and fifty; and the directors and officers of the said company, and all other persons whatsoever, whom the said commissioners, or any two of them shall think fit to examine, touching the matters aforesaid, are hereby strictly required and enjoined to attend the said commissioners, from time to time, and at all such times and places as the said commissioners, or any two of them, shall under their hands require or appoint, and to give the best and truest information they can, touching the said claims, and to produce all books, papers, deeds, or records relating thereto, in their respective custody or power, as the said commissioners, or any two of them shall direct; and the said commissioners, or any two of them are hereby authorized to administer an oath, for the better discovery of the truth of the facts, touching which such examination or inquiry shall be made; and they are hereby required to close and finish their examinations of all the claims that shall be made by such of the said creditors, who reside in *Great Britain* or *Ireland*, at the farthest, on or before the thirty first day of *January*, one thousand seven hundred and fifty, and of all the claims that shall be made by such of the said creditors who reside in *Africa*, or any other parts beyond the seas, on or before the twenty eighth day of *February*, one thousand seven hundred and fifty; and the said commissioners shall lay accounts of their proceedings before the parliament with all convenient speed.

Time for  
closing their  
examinations.

Accounts to  
be laid before  
parliament.

Persons summoned not appearing, &c. to be committed.

XXXIII. And be it further enacted by the authority aforesaid, That in case any person or persons summoned to appear before the said commissioners, shall wilfully neglect or refuse to appear and be examined touching the matters and things by this act directed to be inquired into, or shall refuse to answer, or shall not fully answer to the satisfaction of the commissioners present at the time of such examination, or any two of them, in questions put to him, her, or them, by the said commissioners, or any

two of them, as well by word of mouth as by interrogatories in writing; or shall refuse or wilfully neglect to produce, from time to time, to the said commissioners, or any two of them, all books of accounts, papers, and writings, in their custody or power, relating to the matters herein directed to be inquired into by the said commissioners, as the said commissioners, or any two of them, shall, from time to time direct, then and in every such case it shall and may be lawful to and for the said commissioners, or any two of them, by warrant under their hands and seals, to commit him, her, or them, to such prison, as the said commissioners, or any two of them, shall think fit, there to remain, without bail or mainprize, until such person or persons shall submit him, her, or themselves, to the said commissioners, and produce before them such books of accounts, papers, and writings, upon oath, and full answer make, to the satisfaction of the commissioners, to all such questions as shall be put to him, her, or them, as aforesaid, according to the true intent and meaning of this act; and the said commissioners, in every case where any person or persons shall be by them committed for refusing to answer, or for not fully answering any question or questions put to him, her, or them, by the said commissioners, by word of mouth, or upon interrogatories, shall in their warrants of commitment specify such question or questions.

XXXIV. And be it further enacted by the authority aforesaid, That the said royal *African* company, their directors, officers, and servants, and every of them, shall, for the space of one year, to be computed from the seventeenth day of *March*, one thousand seven hundred and forty nine, be, and they are hereby restrained and disabled from assigning, transferring, or disposing of all or any their military stores, ammunition, slaves, canoes, vessels, and things necessary for the use or defence of their forts and settlements; and all actions, suits, and procefs, depending, or which shall be hereafter commenced or prosecuted by any person or persons for recovery of any debt or sum of money due, or pretended to be due, from the said company, or from any person or persons, for or in respect of any debt or debts contracted for or on behalf of the said company, shall be, and the same are hereby stayed for the space of one year, to be computed from the said seventeenth day of *March*, one thousand seven hundred and forty nine.

The African company restrained from disposing of stores, &c.

Suits for money due by them, stayed for 1 year.

XXXV. And whereas David Crichton, late one of the chief agents of the said company at Cape Coast Castle, now a prisoner for debt in the custody of the sheriffs of the city of London, did, with two others of the said company's agents or servants there (to wit) Thomas Chalmer and James Craik, in the year one thousand seven hundred and forty five, contract a debt at Cape Coast Castle aforesaid, of sixteen hundred pounds, for and on the behalf of the said company, for the support and maintenance of their forts and servants; and whereas the said David Crichton now stands charged in the custody of the said sheriffs, in execution, on a judgment given in the court of King's Bench, at the suit of one William

David Crichton in custody for a debt on behalf of the company, to be discharged.

William Stead, for the debt aforesaid, which together with costs of suit, and interest thereon, amounts in the whole to the sum of sixteen hundred and four pounds, sixteen shillings, and six pence, upon a judgment obtained against him in his Majesty's court of King's Bench, by the said William Stead; be it therefore enacted by the authority aforesaid, That the said David Crichton be forthwith discharged out of the custody of the said sheriffs upon the said David Crichton's giving a new judgment to the said William Stead, for the said sum of sixteen hundred and four pounds, sixteen shillings, and six pence, with stay of execution thereon, for one year, to be computed from the said seventeenth day of March, one thousand seven hundred and forty nine: and further, That the said David Crichton do enter into a bond to the said William Stead, with two sureties to be approved of by one of the judges of the court of King's Bench, in double the penalty of the said sum of sixteen hundred and four pounds, sixteen shillings, and six pence, with which the said David Crichton stands charged in custody, with condition that he the said David Crichton will not withdraw himself out of England, but will always be ready, either in London or Middlesex, at the expiration of the said year, to be subject to any process the said William Stead shall think proper to take out against him.

Expences of this act,

and of the commissioners.

Penalties how to be recovered.

Limitation of actions.

XXXVI. And be it further enacted by the authority aforesaid, That the expences of obtaining and passing this act, shall be defrayed and paid by the said committee for managing the affairs of the said new company, out of the first monies they shall receive for the admissions of persons into the freedom thereof; and the expences of the said commissioners, their officers and servants, and of the inquiry to be made in pursuance of this act, shall be defrayed, in the first place, out of such compensation as shall be hereafter granted by parliament, on the said royal African company's being divested of their charter, lands, forts, castles, slaves, and other effects.

XXXVII. And be it further enacted by the authority aforesaid, That the penalties inflicted by this act may be sued for and recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, or in any of the courts of his Majesty's plantations or colonies in America, wherein no effoin, protection, privilege, or wager of law, or more than one imparlance, shall be allowed; and all and every offence and offences which any person or persons shall be guilty of on the high sea, or on shore, within the limits before mentioned, contrary to this act, shall be enquired of and determined in his Majesty's court of King's Bench at Westminster, or before such commissioners, and in such county of this realm, as shall be assigned by his Majesty's commission, and by good and lawful men of the same county.

XXXVIII. And it is hereby further enacted by the authority aforesaid, That if any action or actions shall be commenced or brought against any person or persons for what he or they shall do,

do, or cause to be done, in pursuance of this act, then, and in every such case, such person or persons shall and may plead the general issue, and give in issue the act and the special matter in evidence; any law or usage to the contrary thereof in any wise notwithstanding.

XXXIX. And be it further enacted by the authority afore- Publick act.  
said, That this act shall be deemed and taken to be a publick act, and shall be taken notice of as such, by all judges, justices, and other persons whatsoever, without specially pleading the same.

## CAP. XXXII.

*An act for granting to his Majesty certain duties upon such species of sail cloth as are therein mentioned, which shall be imported from Ireland into Great Britain, during the time therein limited.*

WHEREAS large bounties have been granted and allowed by the parliament of Ireland on sail cloth of the manufacture of that kingdom, which hath encouraged the importation of considerable quantities of the said manufacture into Great Britain, which may tend to the prejudice of the said manufacture in this kingdom: we your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, do give and grant unto your Majesty, your heirs and successors, such duties on sail cloth imported from Ireland as are herein after mentioned; and do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty ninth day of September, one thousand seven hundred and fifty, the several duties following shall be levied and paid to his Majesty, his heirs and successors, upon all canvas or sail cloth of the manufacture of Ireland, imported into Great Britain (on which the several bounties of four pence, and two pence a yard respectively, granted by an act of parliament made in Ireland in the nineteenth year of his present Majesty's reign, shall have been allowed) that is to say, For each yard of all such canvas or sail cloth imported as aforesaid, of the value of fourteen pence a yard, and upwards, a duty of four pence; and for each yard of such canvas or sail cloth, imported as aforesaid, of the value of ten pence a yard, and under fourteen pence a yard, a duty of two pence: which respective duties shall be levied, recovered, and paid, by such means and methods, and under such penalties and forfeitures, and shall be applied to the same uses and purposes, as the duties now payable upon the importation of foreign sail cloth are collected, levied, and applied.

Duties on the importation of Irish canvas, or sail cloth.

Method of levying and applying the duties;

II. And be it enacted by the authority aforesaid, in order to prevent frauds, and to ascertain upon what canvas or sail cloth the said bounties of four pence and two pence shall have been paid, and for ascertaining upon what canvas or sail cloth, paid,

the bounties  
shall have  
been paid.

paid, That no canvas or fail cloth shall be imported from *Ireland* into this kingdom but in whole or entire bolts or pieces; and if the loops or double threads of the said bolts or pieces so imported, which by the said act of parliament made in *Ireland*, in the nineteenth year of his present Majesty's reign, are directed to be part of the warp at the middle of that end of the web which is last in weaving, shall be cut off; or if such bolts or pieces be stamped with an impression, importing the payment of either of the said bounties, then, and in either of the said cases, such canvas or fail cloth shall be deemed to have received the said bounty, and be liable to the payment of the respective duties laid and made payable by virtue of this act.

Duties to be  
paid as long as  
the bounties  
shall continue.

III. And be it further enacted by the authority aforesaid, That the said several duties of four pence and two pence a yard by this act imposed, shall continue and be paid on all such canvas and fail cloth imported into *Great Britain*, for so long time as the respective bounties allowed by virtue or in consequence of the said act of the parliament of *Ireland* shall continue, and no longer.

Officer of the  
customs may  
examine the  
pieces on im-  
portation, &c.

IV. And be it further enacted by the authority aforesaid, That upon the importation of any canvas or fail cloth from *Ireland* into this kingdom, it shall be lawful for the collector, comptroller, or other proper officer of the customs, to open, view, and examine the same; and if it shall appear that either of the said bounties has been paid, and no regular entry of such canvas or fail cloth has been made at such port where the same was so imported, then, and in such case, all the canvas or fail cloth so omitted to be entered as aforesaid, shall be forfeited and seized by any officer of the customs.

Method of as-  
certaining the  
duties.

V. And be it further enacted by the authority aforesaid, That if any dispute shall arise touching the duty which ought to be paid upon such canvas or fail cloth, such duty shall be ascertained in the same manner, and under the same forfeitures and penalties, as duties upon goods and commodities imported into this kingdom, and subject to payment of duties *ad Valorem*, are ascertained.

### C A P. XXXIII.

*An act for preventing delays and expences in the proceedings in the county court of Middlesex; and for the more easy and speedy recovery of small debts in the said county court.*

WHEREAS sheriffs in their several county courts hold plea of all personal actions where the debt or damages do not amount to forty shillings: and whereas the proceedings in the county courts, in such actions have been found to be vexatious, expensive, and dilatory: for remedy thereof in the county of *Middlesex*, and for the more easy and speedy recovery of small debts within the said county; may it please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with

with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of *June*, one thousand seven hundred and fifty, it shall and may be lawful to and for the suitors of the county court of *Middlesex*, together with the county clerk of the said county in county court assembled, or the major part of them the said county clerk and suitors so assembled, upon any plaint to be entered in the said county court in any suit where the debt or damages shall not amount to the sum of forty shillings, to proceed in a summary way, and from time to time to make such order or decree, orders or decrees, as shall seem to them, or the major part of them so assembled, to be just and agreeable to equity and good conscience; and for the better discovery of the truth, and more speedy obtaining the end of such suits, be it further enacted by the authority aforesaid, That it shall and may be lawful for the said suitors and county clerk in the county court aforesaid, to examine the plaintiff or plaintiffs, defendant or defendants, and their witnesses, *viva voce*, upon their several corporal oaths.

Suitors of the county court, and the county clerk, may determine suits for debt under 40s. in a summary way;

II. And be it enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, it shall and may be lawful for the sheriff of *Middlesex*, by his county clerk, to hold his county court, for the proceeding in pursuance of and under the authority of this act, on *Thursday* in every week, at some convenient place, within the hundred of *Qssulston* in the county of *Middlesex*, and on the first *Tuesday* in every month, at some convenient place within the hundreds of *Isleworth* or *Elthorne*, and on the last *Tuesday* in every month, at some convenient place within the hundred of *Edmonton*; provided always, That the monthly court of the said sheriff shall nevertheless be held and kept as has been accustomed.

Times and places appointed for holding the county court.

III. And be it enacted by the authority aforesaid, That such persons, and such persons only, shall be deemed and taken to be suitors of the said county court to be held by and under the authority of this act, as are qualified to serve on juries on trials at *Nisi Prius* in the courts of *King's Bench*, *Common Pleas*, and *Exchequer*, at *Westminster*, by virtue of the laws in being.

Who shall be deemed suitors.

IV. And be it enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, no plaint to be entered in the said county court, as aforesaid, nor any order or orders or other proceedings to be had thereupon by virtue of this act, shall be removed out of the said court by any writ of *Recordari facias Loquelam*, *Certiorari*, or false judgement, or otherwise howsoever; but such order or orders so to be made by the said suitors and county clerk shall be final and conclusive to all parties whatsoever; provided nevertheless, that all plaints in replevin shall be proceeded in, and removeable in the same manner, as if this act had not been made; provided also, That no person or persons shall be liable to be summoned to the said county court at the suit of any plaintiff or plaintiffs,

No plaints, or orders of the court, may be removed; except plaints in replevin.

Who may be summoned to the court.

other

Jurisdiction of the county court, not extended by this act.

Parties not conforming, may be committed.

Where an order for payment of money shall be made, the county clerk may issue a precept for levying.

Under sheriff to deliver every month, three lists of 12 freeholders, to attend.

other than such person or persons as was or were liable to be summoned to the county court of *Middlesex*, before this act was made, and that this act shall not extend to give the said county court any jurisdiction to hold plea of, or to hear or determine any action, cause or suit, other than such action, cause, or suit, as the county court of *Middlesex* might have held plea of by plaint before the making of this act.

V. And be it enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, after any plaint shall have been entered as aforesaid, and the defendant or defendants shall have been duly summoned, and either the plaintiff or plaintiffs in the said plaint named, or the defendant or defendants shall neglect or refuse to abide by and perform such order or orders, as the said suitors and county clerk shall, from time to time, make, pronounce, and set down in writing; then it shall and may be lawful to and for the county clerk for the time being, by warrant in writing under his seal, to commit such plaintiff or plaintiffs, defendant or defendants, to the county gaol of the said county, or any other common gaol within the said county, there to remain for the space of three calendar months, or any shorter space of time, at the discretion of the said suitors and county clerk; provided nevertheless, that if the person or persons so committed shall, before the expiration of the time for which he, she, or they shall be committed, perform such order or orders, then he, she, or they shall forthwith be discharged.

VI. And be it enacted by the authority aforesaid, That in any case where the said suitors and county clerk shall have made any order or decree for the payment of money, it shall and may be lawful for the said county clerk, at the prayer of the party prosecuting such order or decree, to issue a precept under his seal in the nature of a writ of *Fieri Facias*, which precept shall be directed to one of the bailiffs attending the said court, who is hereby authorized to levy the sum or sums of money mentioned in such precept, in the same manner as any sheriff may levy money by virtue of any writ of *Fieri Facias* issuing out of any of his Majesty's courts of record at *Westminster*.

VII. And be it enacted by the authority aforesaid, That the under sheriff of *Middlesex* for the time being, after the said twenty fourth day of *June*, shall, six days before the end of every month, deliver to the county clerk of the said county three several lists, each list containing the names and places of abodes of twelve persons, to be by the said sheriff taken from the freeholders book of the said county of *Middlesex*, as suitors to attend the said county court for the succeeding month for the several divisions hereafter named; that is to say, one list for the hundred of *Offulton*, one for the hundred of *Uxeworth* and *Elthorne*, and one for the hundred of *Edmonton*; and the county clerk of the said county shall cause the said persons in the said several lists named, to be summoned to attend the said court at the time and place to be mentioned in the said summons; for each

each of which lifts the said county clerk shall pay the said under sheriff the sum of four pence, and no more; and no other suit- or, except the persons so summoned, shall have any voice in the said county court, held under the authority of this act; and no person shall be liable to be put upon such list to attend the said court as a suitor thereof, oftner than once in every year.

None to at- tend but once in a year.

VIII. And be it further enacted, That if any suitor so qualified as aforesaid, after having been duly summoned to attend the said court, shall neglect or refuse to attend according to such summons, and there shall not be a sufficient number of suitors to proceed in the business of the said court, then it shall and may be lawful for the said county clerk to amerce such suitor as shall not attend in any sum not exceeding twenty shillings, to the use of the poor of the parish where the said court shall sit, to be recovered by the overseers of the poor of the said parish for the time being, or any one of them, by plaint in the said county court, in the same manner as any other debt or demand may be recovered in the said court under the authority of this act.

Suitors not attending, to be amerced 20 s.

IX. Provided always, and be it enacted by the authority aforesaid, That no person or persons residing or dwelling within the hundreds of *Gouze*, *Elthorne*, *Spelthorne*, or *Ipsworth*, shall be liable or obliged to attend the said county court, either as a suitor or defendant, in any other place than within the said hundreds of *Ipsworth* or *Elthorne*; and no person or persons residing or dwelling within the hundred at *Edmonton*, shall be liable or obliged to attend the said court in any other place than within the said hundred of *Edmonton*.

Where the in- habitants of particular places shall be liable to at- tend.

X. And be it further enacted, That every suitor attending the said court, before he enters on the hearing or determining any matter in controversy, shall take the following oath to be administered by the said county clerk or his deputy, who is hereby authorized to administer the same, that is to say,

Suitors to be sworn.

**I** Swear, That I will impartially and truly hear and determine the several matters in controversy which shall be brought before me, as a suitor of this court, according to the evidence, and the best of my skill and judgement.

The oath.

So help me God.

XI. And be it enacted by the authority aforesaid, That if any person or persons shall be guilty of any contempt or disturbance of the said court, sitting the court, then it shall and may be lawful for the said suitors and county clerk to order such person or persons to be taken into the custody of any officer or officers attending the said court, which officer or officers is and are hereby required and authorized to detain such person or persons in his or their custody during the sitting of the said court, and the said suitors and county clerk may, if they think fit, amerce such person or persons, in any sum, not exceeding forty shillings, to the use of the poor of the parish where the said court shall

Penalty on contempt or disturbance of the court.



shall sit, to be recovered by the overseers of the poor of the said parish for the time being, or any one of them, by plaint, in the said county court, in the same manner as any other debt or demand may be recovered in the said court under the authority of this act.

County clerks,  
and officers  
fees.

XII. And be it further enacted, That the county clerk for the time being, and the other officers of the said court, shall receive and take the fees under-written, and no other or greater fees, that is to say,

The county clerk for entering the plaint, four pence.

For every warrant, four pence.

For every summons, four pence.

For every order, eight pence.

For entering every order, four pence.

For hearing, six pence.

For execution, four pence.

For entering the appearance of the defendant or defendants, six pence.

The crier for every call, one penny.

The officer for summoning, four pence.

The officer for execution on the goods, two shillings.

On the person, three shillings.

Table of fees to be hung up. A table of which fees shall be publicly hung up in every place where the said county court shall be held.

William  
Whittaker  
esquire, con-  
tinued county  
clerk.

XIII. And be it enacted by the authority aforesaid, That *William Whitaker* of the *Middle Temple, London*, esquire, the present county clerk of the said county of *Middlesex*, shall continue county clerk of the said county, so long as he shall behave himself well in the said office; and from and after the resignation, removal, or death of the said *William Whitaker*, and so often as the said office shall become vacant, the sheriff of the county of *Middlesex* for the time being, shall appoint a sufficient person to be county clerk of the said county, who at the time of such appointment shall be of the degree of an utter barrister of three years standing at the bar, and be approved by the lord high chancellor, lord keeper or commissioners of the great seal, the lord chief justice of the court of *King's Bench*, and the lord chief justice of the court of *Common Pleas* for the time being, or any two of them, which person so appointed and approved shall continue county clerk so long as he shall behave himself well.

Sheriff to ap-  
point future  
county clerks.

County clerk  
to be sworn.

XIV. And be it enacted by the authority aforesaid, That the said *William Whitaker* shall, within one month after the said twenty fourth day of *June*, and every succeeding county clerk of the said county, within one month after his appointment and approbation as aforesaid, take the following oath in the county court aforesaid, that is to say,

The oath.

I A. B. do swear, That I will well and truly execute the office of county clerk of the county of *Middlesex*, according to the best of my

*my ſkill and knowledge, and that I will not deny or delay juſtice, and will not by myſelf, or knowingly by any deputies, clerks, or ſervants under me, or by any other perſon or perſons, receive or take, or cauſe, or permit, or ſuffer to be received or taken, any greater or other fees in my ſaid office of county clerk, than ſuch as are directed to be taken in and by an act made in the twenty third year of the reign of his ma- jeſty King George the Second, intituled, An act for preventing de- lays and expences in the proceedings in the county court of Middleſex, and for the more eaſy and ſpeedy recovery of ſmall debts within the ſaid county court.*

So help me God.

Which oath ſhall and may be adminiſtered by any two ſuitors Oath to be re- preſent, and ſhall be entered in the county court book, and giſtered. ſigned by the ſaid county clerk, and atteſted by the ſuitors pre- ſent at the adminiſtration thereof.

XV. And be it enacted by the authority aforeſaid, That it County clerk ſhall and may be lawful to and for the county clerk of the ſaid county for the time being, to appoint his ſufficient deputy to <sup>may appoint his deputy.</sup> act for him in the ſaid office of county clerk, which deputy in the abſence of the ſaid county clerk, ſhall have the ſame autho- rity as if himſelf was preſent, provided nevertheleſs that ſuch deputy be of the degree of an utter barrifter of three years ſtan- ding at the bar, and provided ſuch deputy be nominated by the ſaid county clerk in open court, three weeks at the leaſt before his appointment, and the majority of the ſuitors preſent at the ſaid appointment aſſent thereto; and the ſaid deputy ſhall at Deputy to be every court before he proceeds to the hearing or determining <sup>ſworn.</sup> any matter in controverſy, take the oath herein before directed to be taken by the ſuitors of the ſaid court, except the words, *As a ſuitor of this court*, which oath ſhall and may be admini- ſtered by any two of the ſuitors preſent.

XVI. And be it enacted by the authority aforeſaid, That if Method of the ſaid county clerk, or any other county clerk of the ſaid coun- ty, ſhall not behave himſelf well in his ſaid office, it ſhall and <sup>proceeding againſt the county clerk, for miſbehaviour.</sup> may be lawful for any twenty four or more freeholders of the ſaid county, to apply by petition to the lord high chancellor, lord keeper or commiſſioners of the great ſeal for the time being, thereby complaining of the miſbehaviour of the ſaid county clerk, and upon ſuch petition it ſhall and may be lawful for the ſaid lord high chancellor, lord keeper or commiſſioners of the great ſeal, the lord chief juſtice of the court of *King's Bench*, and the lord chief juſtice of the court of *Common Pleas* for the time being, or any two of them, to meet together, and to hear and determine the ſaid complaint in a ſummary way; and in caſe the ſaid county clerk ſhall be found, upon due examination and proof before them, to have been guilty of any ſuch miſbehavi- our in the ſaid office, then and in ſuch caſe, it ſhall and may be lawful for the ſaid lord high chancellor, lord keeper or commiſſi- oners, and the ſaid chief juſtices, or any two of them, to remove the ſaid county clerk from his ſaid office.

Penalty of  
perjury.

XVII. And be it enacted by the authority aforefaid, That if any perfon or perfons fhall make oath, or give evidence in any caufe depending in the faid county court, whereby he, ſhe, or they fhall commit wilful and corrupt perjury, and thereof be duly convicted, then every ſuch perfon or perfons fhall incur and ſuffer the like pains and penalties, as any other perfon or perfons convicted of wilful and corrupt perjury is or are liable to by the laws and ſtatutes now in being.

Officers, &c.  
fued for act-  
ing,

may plead the  
general iſſue.

XVIII. And be it enacted by the authority aforefaid, That in caſe any action or ſuit ſhall at any time hereafter be commenced or brought againſt any member, officer, or miniſter of the faid county court, or againſt any other perfon or perfons, for or in reſpect of his or their acting in purſuance of or under the authority of this act, That it ſhall and may be lawful for ſuch perſon in every ſuch action or ſuit to plead the general iſſue, and give this act and the ſpecial matter in evidence, and the warrant or precept under the ſeal of the faid county clerk, being duly proved in any ſuch action or ſuit, ſhall be deemed a ſufficient proof of the authority of the faid county court, and of all other proceedings in the faid court, previous to the iſſuing of ſuch warrant or precept; and in caſe the plaintiff or plaintiffs in ſuch action or ſuit ſhall have a verdict paſs againſt him or them, be nonſuit, or diſcontinue his, her, or their action or ſuit the defendant or defendants ſhall, in any of the faid caſes, be allowed double coſts.

Double coſts.

In ſuits pro-  
ſecuted at  
Weſtminſter,  
which are lia-  
ble to be ſued  
in the county  
court,

the defendant  
to have double  
coſts.

This act not  
to extend to  
the Tower, or  
the Tower  
Hamlets,

or to the city  
and liberty of  
Weſtminſter.

XIX. And be it further enacted, That in caſe any action or debt, or action upon *Aſſumpſit*, ſhall be commenced and proſecuted after the ſaid twenty fourth day of *June*, in any of his Maſtey's courts of record at *Weſtminſter*, and the defendant or defendants, at the time of ſuch action brought, ſhall live or reſide in the faid county of *Middleſex*, and be liable to be ſummoned to the faid county court, and the jury upon the trial of ſuch caufe ſhall find the damages for the plaintiff under the value of forty ſhillings, unleſs the judge ſhall in open court certify on the back of the record, that the freehold, or title to the plaintiff's land, principally came in queſtion, or that an act of bankruptcy principally came in queſtion at ſuch trial, then, and in ſuch caſe, no coſts ſhall be awarded to the plaintiff in ſuch action, but the defendant or defendants ſhall be intitled to, and recover double coſts of ſuit.

XX. Provided always, and be it enacted by the authority aforefaid, That nothing in this act contained ſhall extend, or be conſtrued to extend, to his Maſtey's *Tower of London*, or the ſeveral pariſhes, liberties, precincts, hamlets, and places, within the *Tower Hamlets*.

XXI. Provided always, and be it enacted by the authority aforefaid, That nothing in this act contained, ſhall extend, or be conſtrued to extend, to the city and liberty of *Weſtminſter*, and the precincts of the ſame, and ſo much of the ſeveral pariſhes of *Saint Clement Danes*, and *Saint Mary le Strand*, in the county of *Middleſex*, as lies without the city and liberty of *Weſtminſter* and alſo in the precincts of the *Savoy*, adjoining thereto.

XXII. Ar

XXII. And be it further enacted, That this act shall be deemed a publick act.

C A P. XXXIV.

*An act for permitting raw silk of the growth or produce of Persia, purchased in Russia, to be imported into this kingdom from any port or place belonging to the empire of Russia.*

WHEREAS by an act made in the fourteenth year of his present Majesty's reign (intituled, An act for opening a trade to and from Persia through Russia) it is (amongst other things) enacted, That from and after the twenty fourth day of June, one thousand seven hundred and forty one, it shall and may be lawful to and for any person or persons, free, or to be free, of the fellowship of English merchants for discovery of new trades, commonly called The Russia Company, exclusive of all others, to bring and import into this kingdom, in British built shipping, navigated according to law, from any port or place of or belonging to the Czar or Emperor of Russia, raw silk, or any other goods or commodities of the growth, produce or manufacture of Persia (provided such manufacture be made of the growth or produce of Persia) being purchased by barter with woollen, or other manufactures, goods, or commodities, exported from Great Britain to Russia, and from thence carried into Persia (gold and silver in coin or bullion excepted) or with the produce arising from the sales of such manufactures, goods, or commodities, so exported to Russia, and carried into Persia, as aforesaid, and not otherwise: and it is by the said act also further enacted, That no silk, or other produce, commodities, or manufactures of Persia, shall be imported into Great Britain through Russia, by virtue of the said act, unless the importer or importers thereof do take an oath, or (being of the people called Quakers) a solemn affirmation, before the collector, customer, or comptroller of his Majesty's customs (who are by the said act impowered to administer the same) at the port or place of importation, that, to the best of his or their knowledge and belief, the silk, and other the produce, commodities, or manufactures of Persia, contained in his or their entry or entries, was or were really and truly purchased by barter with woollen, or other manufactures, goods, or commodities, exported from Great Britain to Russia, and from thence carried into Persia (not being gold or silver in coin or bullion) or with the produce arising from the sales of such woollen, or other manufactures, goods, or commodities, so exported as aforesaid, and not otherwise; and that in default of taking such oath or affirmation, all such silk, or other the produce, commodities, or manufactures of Persia, so imported from Russia, shall be liable to be seized and forfeited, in like manner, as if the same had been imported contrary to the act made in the twelfth year of the reign of King Charles the Second, intituled, An act for encouraging and increasing of shipping and navigation: and whereas, soon after the commencement of the said act made in the fourteenth year of his present Majesty's reign, a very beneficial trade between Great Britain and Persia, through Russia, was opened, by

means whereof great quantities of raw ſilk, and other the goods and commodities, of the growth, produce, or manufacture of *Perſia*, were imported into this kingdom, in return for the woollen and other manufactures, goods, and commodities of Great Britain, upon much eaſier and more advantageous terms than ſuch ſilk, and other goods and commodities of the growth, produce, or manufacture of *Perſia* could have been otherwiſe procured: but whereas the ſaid trade between Great Britain and *Perſia*, through *Ruſſia*, hath been, for ſome time paſt, interrupted, the ſubjects of Great Britain not having been of late permitted to tranſport Britiſh manufactures, goods, and commodities into *Perſia*, through the dominions or territories of or belonging to the empire of *Ruſſia*, in conſequence whereof the importation of raw ſilk, and other commodities of the growth, produce, or manufacture of *Perſia*, from *Ruſſia*, hath been diſcontinued: and whereas it would be of great advantage to the trade of this kingdom in general, as well as contribute to the increaſe and improvement of the ſilk manufactures in particular, if raw ſilk of the growth or produce of *Perſia*, purchaſed in *Ruſſia*, were permitted to be imported from any of the countries, dominions, or territories of the empire of *Ruſſia*, in return for woollen and other manufactures exported from Great Britain to *Ruſſia*, although the ſame be not carried from thence into *Perſia*; may it therefore pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of *December*, one thouſand ſeven hundred and fifty, it ſhall and may be lawful to and for any perſon or perſons, free or to be free, of the ſaid fellowſhip of *Engliſh* merchants for diſcovery or new trades, commonly called, *The Ruſſia Company*, excluſive of all others, to bring and import into this kingdom, in *Britiſh* built ſhipping, navigated according to law, from any port or place within the countries, territories, or dominions of or belonging to the empire of *Ruſſia*, raw ſilk of the growth or produce of *Perſia*, which ſhall be purchaſed by barter with woollen or other manufactures, goods, or commodities exported from *Great Britain* to *Ruſſia*, although the ſame be not carried from thence into *Perſia*, (gold and ſilver in coin or bullion excepted or with the produce ariſing from the ſale of ſuch manufactures goods, or commodities, exported from *Great Britain* to *Ruſſia* as aforeſaid, and not otherwiſe, upon paying, or ſecuring to be paid, the cuſtoms and other duties now payable for the ſame by any law now in force, according to ſuch rules, methods, and directions, and in the ſame manner and form, and with ſuch allowances, abatements, diſcounts, and drawbacks, and under ſuch penalties, forfeitures, and diſabilities, as are by law preſcribed and practiſed, on the importation of raw ſilk of the growth or produce of *Perſia*, imported into this kingdom from any port or place in the *Levant* ſeas, by any perſon or perſons free of the *Levant* or *Turkey* company; any thing in the ſaid act made in the fourteenth year of his preſent Maſteſty's reign, or

An excluſive right granted to the *Ruſſia* company, to import from *Ruſſia*, raw ſilk of the produce of *Perſia*.

in the faid aét made in the twelfth year of the reign of King *Charles* the fecond, intituled, *An aét for encouraging and increafing of fhipping and navigation*, to the contrary notwithstanding.

II. Provided always, and be it further enacted by the authority aforefaid, That no filk of the growth or produce of *Persia*, fhall be imported into *Great Britain*, from any of the countries, dominions, or territories of or belonging to the empire of *Ruffia*, by virtue of this aét, unlefs the importer or importers thereof do make oath before the collector, cutomer, or comptroller of his Majefty's customs (who are hereby impowered and required to adminifter fuch oath) at the port or place of importation, thát to the beft of his or their knowledge and belief the filk contained in his or their entry or entries was really and truly purchafed by barter with woollen or other manufactures, goods, or commodities, exported from *Great Britain* to *Ruffia* (not being gold or filver in coin or bullion) or with the produce arifing from the fale of fuch woollen, or other manufactures, goods, or commodities, fo exported as aforefaid, and not otherwife; and in default of making fuch oath, all fuch filk fo imported from any of the countries, dominions, or territories of or belonging to the empire of *Ruffia*, fhall be liable to be feized and forfeited, in like manner as if the fame had been imported contrary to the faid aét made in the twelfth year of the reign of King *Charles* the Second, intituled, *An aét for encouraging and increafing of fhipping and navigation*.

Importers to make oath of the filk being purchafed by barter with goods exported from Great Britain to Ruffia.

III. Provided alfo, That nothing herein contained fhall extend, or be conftrued to extend, to deprive the corporation of the united company of merchants of *England* trading to the *East Indies*, of any of the powers, privileges, franchifes, and benefits which do or fhall belong to them, or which they could or might have had and enjoyed in any manner whatfoever, if this aét had not been made; any thing herein contained to the contrary notwithstanding.

Rights of the East India company reserved.

IV. And be it further enacted by the authority aforefaid, That this aét fhall be deemed a publick aét, and fhall be judicially taken notice of as fuch by all judges, juftices, and other perfons whatfoever, without fpecially pleading the fame.

Publick aét.

#### CAP. XXXV.

An aét for making a better and more effectnal provision for the relief of the poor, for the cleaning the ftreets, and for keeping a nightly watch, within the parifh of Saint Martin in the Fields, within the liberties of the city of Weftminfter.

#### CAP. XXXVI.

An aét for fettling a fhipend or maintenance upon the rector of the parifh of Saint George the Martyr, in the borough of Southwark, in the county of Surry, and his fucceffors, in lieu of tythes.

## C A P. XXXVII.

*An act for building a bridge cross the river of Thames, from Hampton Court in the county of Middlesex, to East Moulsey in the county of Surry.*

**W**HEREAS many mischiefs and inconveniencies would be prevented, and great benefit would arise to the inhabitants of the counties of Middlesex and Surry, and to the publick in general, if a bridge were built cross the river of Thames, from Hampton Court in the county of Middlesex, to the opposite shore at East Moulsey in the county of Surry: and whereas by virtue of letters patent, under the great seal, bearing date the twelfth day of March, in the twenty ninth year of the reign of King Charles the Second, James Clarke esquire is become possessed of the manor of East Moulsey, with the appurtenances, in the county of Surry; and also all that passage of water upon the river of Thames, called Hampton Court Ferry, between East Moulsey and Hampton Court, and is intitled to the premises for the term of twenty six years, or thereabouts, now remaining unexpired, and yet to come, of the term of years granted by the said letters patent: and forasmuch as the said James Clarke hath made his most humble suit to your Majesty, that your Majesty would be graciously pleased to give leave, that he the said James Clarke may build a bridge cross the said river, from East Moulsey to Hampton Court; and your Majesty hath been graciously pleased to signify your consent thereto; may it therefore please your Majesty, that it may be enacted, &c.

James Clarke esquire impowered to build a bridge cross the Thames from Hampton Court to East Moulsey; and to turn and make a highway or bridge leading to the same; making satisfaction for the damage. Five commissioners of the land tax for Middlesex and Surry, to settle the damage in case of dispute. If the parties shall be dissatisfied, or refuse to treat, the commissioners are to issue their precept to the sheriff, to return a jury, to inquire and assess the recompence; their verdicts, and the judgements of the commissioners thereon, to be binding. Upon payment, or tender of the money, the premises may be used. Commissioners may fine the sheriff, and others, making default 40s. If in building the bridge any damage shall be done, for which no recompence has been made, the commissioners are to ascertain the same by a jury. Care to be taken that there be no overflowing occasioned by the bridge. Meeting of the commissioners not to be above 6 miles distant from the place in question. The bridge vested in James Clarke, esquire, and his heirs. Tolls: for every coach, &c. drawn by 6 horses, 2s. 6d. by 4 horses, 1s. 6d. by less than 4 horses, 1s. For every waggon, &c. drawn by 4 horses, 1s. 6d. and by less than 4 horses, 1s. For every horse, &c. not drawing, 2d. For every foot passenger on Sundays, 1d. and on other days one halfpenny. For every drove of neat cattle, 12d. per score. For every drove of calves, hogs, sheep, or lambs, 6d. per score. If after expiration of the term granted by letters patent to James Clarke, esquire, the King shall pay the expences of building the bridge, the right of the said Clarke and the tolls are to cease, and the bridge is to vest in his Majesty. A passage of 260 feet to be left for the water. Wilful damaging the bridge, felony. When the bridge shall be dangerous, a ferry may be provided; and to continue no longer than the bridge be repaired. Matters to make good the damage which their boatmen shall do to the bridge. Bridge not rateable, &c.

CAP. XXXVIII.

An act for repairing the road from the city of York over Skipbridge to Boroughbridge in the county of York.

*Certain tolls granted for 21 years.*

CAP. XXXIX.

*An act for the more effectual repairing and preserving the piers and harbour of Whitby in the county of York.*

WHEREAS by an act of parliament made and passed in the first year of the reign of her late majesty Queen Anne, intituled, An act for the rebuilding and repairing the piers of the town and port of Whitby in the county of York, several duties were granted and laid upon all ships and vessels entering within the piers of the said port, and upon certain goods and merchandizes therein particularly mentioned, landed within the haven or piers of the said port of Whitby, and shipped off from Whitby aforesaid; and also a duty of one farthing per chaldre on all coals loaded at Newcastle upon Tyne, or at Sunderland, Blythe, Seaton-sluiſe, Cullercoates, or any other harbour, colliery, or place that was, or was reputed to be, a member of the said port of Newcastle upon Tyne, for the term of nine years, to commence from the first day of May, one thousand seven hundred and two; with such provisions for the due collecting, accounting for, and applying of the said duties, and other powers, matters and things relating thereto, and for keeping clear the said harbour, as in the same act is particularly mentioned and contained: and whereas by another act of parliament, made and passed in the seventh year of her said late Majesty's reign, the said act made in the first year of her reign, and all the powers, matters, and clauses contained therein, and all the duties and sums of money thereby granted, and made payable, were continued and made payable, and to be in full force and virtue, until the first day of May, which should be in the year of our Lord one thousand seven hundred and twenty three: and whereas by another act of parliament made and passed in the seventh year of the reign of his late majesty King George the First, (intituled, An act for the better preserving and keeping in repair the piers of the town and port of Whitby in the county of York; and for lengthening and making more effectual the several acts passed for lengthening and repairing the piers of Bridlington alias Burlington in the said county;) all and every the said duties and sums of money granted and imposed by the said act of the first year of her said late Majesty, and continued by the said act of the seventh year of her reign as aforesaid, (save and except the said duty of one farthing per chaldre) were made perpetual, and enacted to be paid to the trustees therein named and their successors for ever, to the end that the piers and harbour of Whitby aforesaid might be preserved, kept, and continued in good repair: and whereas by another act of parliament made and passed in the eighth year of his present Majesty's reign, (intituled, An act for lengthening the west pier of the harbour of Whitby in the county of York; and for improving the said harbour) reciting the said former acts; and also reciting, that by and with

1 Annæ, st. 1. c. 19.

7 Annæ, private.

7 Geo. 1. c. 16.

8 Geo. 2. c. 10.



with the said several duties and sums of money collected and received by virtue thereof, the said piers had been rebuilt, finished, and ~~com-~~pleted, and had been preserved, kept, and continued in good repair; but that nevertheless, for some years then past, the entrance into the said port of Whitby had been rendered very narrow and difficult, by reason of a bank of sand which was then, and for some time past had been gathering about the head of the west pier of the said harbour of Whitby, and would in time, if not prevented, intirely stop and choak up the same; and inasmuch as the said sand-bed, and the further increase thereof, in the judgement and understanding of experienced persons might and could only be remedied and prevented by lengthening and extending the said west pier one hundred yards further into the sea; therefore that the said piers and harbour might be improved, and made as secure for colliers and coasting vessels as might be, and for lengthening and extending the said west pier, it was enacted, That from and after the first day of June, one thousand seven hundred and thirty five, the said duty of one farthing per chalder, granted by the said act of the first year of the reign of her said late majesty Queen Anne, and continued by the said act of the seventh year of her reign (but which had ceased from the first day of May, one thousand seven hundred and twenty three) should be paid to the trustees nominated and appointed in or by virtue of the said act of the seventh year of his late Majesty's reign for the term of thirty one years, to commence and be computed from the said first day of June, one thousand seven hundred and thirty five, for the purposes aforesaid; and the said act of the first year of her said late Majesty's reign, and all and every the clauses, provisions, penalties, matters, and things therein contained, touching the said duty of one farthing per chalder thereby granted (save and except as to the powers and authorities thereby vested in the trustees therein named, and to be named pursuant thereto, and a clause therein contained touching the ceasing of the said duty on raising six thousand pounds, as therein mentioned) were revived and continued for the same term of thirty one years, with several other powers and clauses relating to the said duty, and work proposed to be done, and the regulating the said harbour, as by the said several acts, relation thereunto respectively being had, may more at large appear: and whereas pursuant to the said last-mentioned act of the eighth year of the reign of his present Majesty, and by and with the several duties and sums of money collected and received by virtue thereof, and of the other acts aforesaid, the said west pier of the said harbour of Whitby hath been lengthened one hundred yards, and terminated with a strong circular head, whereon is erected a commodious battery, with a strong parapet, and embrasures for five pieces of cannon, which protects the entrance of the said harbour, as also such ships as may be obliged to take shelter in the road from an enemy; but for carrying on the said work, the trustees nominated and appointed in and by virtue of the said several acts of the seventh year of his late Majesty, and eighth year of his present Majesty, have been necessitated to borrow at times, several sums of money on the said fund of one farthing per chalder, amounting to six thousand two hundred pounds, which now remains charged thereon; and the said trustees have employed the rest of the duties granted as aforesaid,

*said, as they arose, in rebuilding and repairing other parts of the said piers, and in getting up quarries at the mouth of the said harbour, in order to deepen the channel; which has had so good an effect, that it has encouraged the inhabitants of Whitby aforesaid, and others, to build in the said harbour much larger ships than were formerly used: and whereas the west and east piers have been greatly shaken with the seas; and the marle, or soft rock, on which they were built, is worn away in several places, by the great quantity of sand scoured out of the said harbour, which has occasioned their sinking, and the walls thereof to bulge out; and the communication between the town and the west pier is in a great measure interrupted; and it is absolutely necessary for the security of the said harbour, that the said parts of the said east and west piers should be rebuilt, or repaired and raised; and it would be a great improvement of the said harbour, and tend very much to the advantage and safety of all colliers and coasting vessels, if the remaining part of the stone rock at the entrance of the said harbour was taken away, and the way repaired and made sufficient, from the said town of Whitby to the said west pier, with proper moorings for ships along the same; but as the expence of the said works cannot be provided for without some additional duty, the said perpetual fund granted by the said act of the seventh year of his late Majesty's reign, producing yearly one hundred and forty pounds, or thereabouts, and the said duty of one farthing per chaldre will raise little if any thing more than will pay the principal monies borrowed thereon, and the interest thereof now due, and which may incur during the remainder of the said term of thirty one years: to the end therefore that the said west and east piers may be rebuilt or repaired and raised where needful, and the remaining part of the stone rock at the entrance of the said harbour may be taken away, and the way from the west pier to the said town of Whitby may be repaired and made sufficient, and proper moorings for ships may be placed thereon, as shall be judged expedient, and the said harbour may be further improved; may it please your Majesty, that it may be enacted, &c.*

An additional duty of one farthing a chaldre laid on coals for 31 years. Powers given by the recited act, to be exercised by the trustees with regard to the present duty. Trustees may borrow money on the credit of the duties; and contract for the work and materials; and for the purchase of houses and grounds, for making the way from the west pier to the town more convenient. Owners refusing to treat, justices to impanel a jury, who are to assess the recompence. Upon payment of the money, the lands, &c. to vest in the trustees. The west and east piers, &c. vested in the trustees. Person to be appointed, who is to direct the moorings, &c. of ships. Vessels belonging to Great Yarmouth exempted from the duties.

#### CAP. XL.

An act for repairing and widening the roads leading from Egremont to Dudden Bridge, Santon Bridge, and Salthouse, in the county of Cumberland.

*Certain tolls granted for 21 years.*

*Anno Regni GEORGII II. Regis Magnæ  
Britanniæ, Franciæ, & Hiberniæ, vice-  
fimo quarto.*

**A**T the parliament begun and holden at Westminster, the tenth day of November, Anno Dom. 1747, in the twenty first year of the reign of our sovereign lord George the Second, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations to the seventeenth day of January, 1750. being the fourth session of this present parliament.

CAP. I.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and fifty one. E XP.

CAP. II.

*An act for granting to his Majesty the sum of two millions one hundred thousand pounds, to be raised by annuities and a lottery, and charged on the sinking fund, redeemable by parliament.*

*Most gracious Sovereign,*

**W**E your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in the easiest manner we are able for the benefit of your subjects, have freely and voluntarily given and granted, and by this act do give and grant unto your Majesty the sum of two millions one hundred thousand pounds, to be raised in such manner and form as is herein after directed; and to that end and purpose do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That the annuities which by this act shall be granted and made payable in respect of the said principal sum of two millions one hundred thousand pounds, until redemption thereof by parliament, in manner herein after mentioned, shall be charged and chargeable upon, and payable out of the monies which shall from time to time arise and be remaining in the receipt of his Majesty's exchequer of or for the surplusses, excesses or overplus monies, commonly called the *Sinking Fund*; and the said surplusses, excesses or overplus monies are hereby appropriated for that purpose accordingly.

Annuities on the sum of 2,100,000 l. to be raised by this act, charged on the sinking fund.

II. And for or towards raising the said sum or sums of money Natives or foreigners may not exceeding in the whole the said sum of two millions one hundred thousand pounds for the purposes aforesaid, it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to contribute, advance and pay unto the first or chief cashier or cashiers of the governor and company of merchants of *Great Britain* trading to the *South-Seas*, and other parts of *America*, and for encouraging the fishery, commonly called the *South-Sea Company*, at or before the respective days and times by this act limited in that behalf, any sum or sums of money not exceeding one million four hundred thousand pounds, in part of the said whole sum of two millions one hundred thousand pounds, for the absolute purchase of any certain annuity or annuities, to commence from the several and respective times herein after appointed for the payment of the several and respective sums by them subscribed or contributed, and to be paid and payable to such contributor or contributors, or such as he, she or they shall nominate, his, her or their executors, administrators, successors and assigns respectively, in manner herein after mentioned, so as such cashier or cashiers do first give security to the good liking of any three or more of the commissioners of the treasury now being, or the high treasurer, or commissioners of the treasury for the time being, for duly answering and paying into the receipt of his Majesty's exchequer, for the publick use, the monies so to be advanced and contributed, and to account duly for the same; which annuities before mentioned shall be computed at the rate of three pounds *per annum* for every one hundred pounds, and proportionably for any greater or less sum so to be advanced and paid; and the purchase-money for every such annuity at the rate aforesaid, is hereby appointed to be paid unto the said cashier or cashiers as aforesaid, at or before the respective days and times herein after limited; that is to say, ten pounds *per centum* part thereof by way of deposit, on or before the fifteenth day of *March*, in the year of our Lord one thousand seven hundred and fifty, fifteen pounds *per centum*, other part thereof, on or before the fifteenth day of *May* one thousand seven hundred and fifty-one then next ensuing; fifteen pounds *per centum*, other part thereof, on or before the seventeenth day of *June* then next ensuing; twenty-five pounds *per centum*, other part thereof, on or before the twelfth day of *August* then next ensuing; ten pounds *per centum*, other part thereof, on or before the twenty-eighth day of *October* then next ensuing; ten pounds *per centum*, other part thereof, on or before the twentieth day of *November* then next ensuing; and the remaining fifteen pounds *per centum*, on or before the twentieth day of *December* then next following; all which annuities so to be purchased shall be paid and payable at two of the most usual feasts or days of payment in the year; that is to say, the feast of the nativity of Saint *John the Baptist*, and of the birth of our Lord Christ, or within six days after every of the said

1,400,000 l.  
for the purchase of annuities.

at the rate of  
3l. per cent.  
per ann.

Times for  
payment.

said feast days; the first payment thereof to be computed and paid at the rate of three pounds *per centum per annum*, on the whole sum to be paid by such contributors for the purchase of any part of the said annuities, from the said several and respective times of paying and advancing the same as aforesaid, unto the feast of the birth of our Lord Christ, which shall be in the year of our Lord one thousand seven hundred and fifty one, or within six days after the said feast day: nevertheless the said annuities shall be redeemable according to the purport and true meaning of a proviso or condition herein after contained in that behalf, and not otherwise; and the said cashier or cashiers of the said governor and company for the time being is or are hereby authorized and required upon the advancing and paying to him or them any such sum or sums of money as aforesaid, forthwith to give a receipt in writing signed by himself or themselves for each payment to the contributor or payer thereof (which receipts shall be assignable by indorsement thereupon, made at any time before the said twentieth day of *December* one thousand seven hundred and fifty one, and no longer) and, from time to time, to pay into the receipt of his Majesty's exchequer, all the monies which he or they shall receive of or for the said sum not exceeding one million four hundred thousand pounds, as fast as he or they shall receive the same, or any part thereof, or within five days afterwards at the farthest; and to account for all the monies so to be advanced and paid to him or them in his Majesty's court of exchequer, according to the due course thereof.

Cashier to give receipt for each payment,

which shall be assignable by indorsement,

Contributors names to be entered in a book,

and a copy transmitted to the exchequer.

Contributors paying the consideration-money,

III. And it is hereby enacted, That in the office of the accomptant general of the said governor and company for the time being, there shall be provided and kept a book or books, in which there shall be fairly entered the names of all who shall be contributors for such annuities, after the rate of three pounds *per centum per annum* as aforesaid, and of all persons by whose hands the said contributors shall pay in any of the said sums upon this act, and also the sum so paid; to which book or books it shall be lawful for the said respective contributors, their executors, administrators, successors and assigns, from time to time at all seasonable times to have resort, and to inspect the same without any fee or charge; and the said accomptant general for the time being, shall on or before the twenty fifth day of *March* one thousand seven hundred and fifty three, transmit an attested duplicate, fairly written on paper, of the said book or books into the office of the auditor of the receipt of his Majesty's exchequer, there to remain for ever.

IV. And it is hereby enacted by the authority aforesaid, That all and every contributor and contributors upon this act, duly paying the whole consideration or purchase-money, at the rate aforesaid, at or before the respective days and times in this act before limited in that behalf, for such annuity or annuities as aforesaid, or such as he, she or they shall appoint, his, her or their respective executors, administrators, successors and assigns shall

shall have, receive and enjoy, and be intitled, by virtue of this act, to have, receive and enjoy the respective annuity and annuities so to be purchafed out of the monies by this act appropriated or appointed for payment thereof as aforefaid, and shall have good and fure estates and interefts therein for ever, fubject only to the provifo or condition of redemption in this act herein after contained concerning the fame; and that the feveral and refpective annuities payable in purfuance of this act, after the rate of three pounds *per centum per annum*, and all and every the principal fums for which the fame are to be payable, fhall be free from all taxes and impositions whatsoever.

V. Provided alfo, That in cafe any fuch contributor as aforefaid, who fhall, on or before the faid fifteenth day of *March* one thoufand feven hundred and fifty, have advanced to the faid cashier or cashiers ten pounds *per centum*, by way of deposit as aforefaid, in part of his, her or their purchafe-money; and fuch contributor, his, her or their executors, administrators, fucceffors or affigns, fhall not advance and pay to the faid cashier or cashiers fifteen pounds *per centum*, other part thereof, on or before the fifteenth day of *May* then next enfuing; and fifteen pounds *per centum*, other part thereof, on or before the feventeenth day of *June* then next enfuing; and twenty five pounds *per centum*, other part thereof, on or before the twelfth day of *Auguft* then next enfuing; and ten pounds *per centum*, other part thereof, on or before the twenty eighth day of *October* then next enfuing; and ten pounds *per centum*, other part thereof, on or before the twentieth day of *November* then next enfuing; and the remaining fifteen pounds *per centum*, on or before the twentieth day of *December* then next following; then, and in every fuch cafe refpectively, fo much of the confideration-money as fhall have been actually paid in part thereof only, to the faid cashier or cashiers for fuch refpective annuity, fhall be forfeited for the benefit of the publick; any thing in this act contained to the contrary notwithstanding.

VI. Provided always, That in cafe any contributor or contributors for the purchafe of any of the faid annuities fhall, after payment of ten pounds *per centum*, in part of his, her or their purchafe-money, defire that the fubfequent payments to be made by him, her or them, at the refpective times limited in that behalf, may immediately be made ftock in the book or books directed to be kept for that purpofe in the office of the faid accomptant general; and that the principal money, and the annuity attending the fame, be immediately transferrable (except the ten pounds *per centum*, which is to remain as a deposit till payment of the whole fum by him, her or them fubfcribed for, is fully compleated) it fhall be lawful for the faid accomptant general, and he is hereby required, upon fuch request made by any fuch contributor or contributors, to give credit in the faid book or books for each refpective principal fum by him, her or them fubfcribed and paid as aforefaid; any thing herein contained to the contrary notwithstanding.

VII. And

Purchafers to  
pay 10l. per  
cent. by 15  
March 1750.

VII. And it is hereby enacted and declared, That no person or persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain, any of the annuities at the rate aforesaid upon this act, unless the whole, or ten pounds *per centum*, part at least of the consideration-money for the same, be advanced and paid to the said cashier or cashiers, on or before the said fifteenth day of *March* one thousand seven hundred and fifty.

700,000 l. to  
be raised by a  
lottery,

VIII. *And whereas it is intended that the sum of seven hundred thousand pounds, being the residue of the said sum of two millions one hundred thousand pounds, already charged by this act upon the monies to arise of or for the said surplusses, excesses and overplus monies, commonly called the Sinking Fund, appropriated for payment thereof, in manner before directed and appointed, shall be raised by way of a lottery, for the purchase of annuities, after the rate of three pounds per centum per annum, in manner herein after mentioned; be it therefore enacted by the authority aforesaid, That the annuities becoming due and payable to the contributors to the lottery herein after-mentioned, their executors, administrators and assigns, at the said rate of three pounds per centum per annum, in respect of the said principal sum of seven hundred thousand pounds, in manner hereafter in this act expressed, until redemption thereof by parliament, according to the proviso herein after contained in that behalf, shall be charged upon the said Sinking fund, and shall commence and be computed from the respective times of paying or advancing the same, or any part thereof, as herein after mentioned, and be paid unto the feast day of the birth of our Lord Christ, one thousand seven hundred and fifty-one; and shall from thenceforth be paid half-yearly at the feasts of the nativity of Saint John the Baptist, and the birth of our Lord Christ, by even and equal portions; the first payment thereof to be due and payable for the half year ending at the feast of the nativity of Saint John the Baptist one thousand seven hundred and fifty two.*

at 3l. per cent.

chargeable on  
the sinking  
fund.

Annuities  
payable half-  
yearly.

Any person  
may contri-  
bute 10l. or  
more;

and thereby  
be interest-  
ed in the an-  
nuities.

IX. And be it further enacted by the authority aforesaid, That for or towards raising the said sum of seven hundred thousand pounds, it shall and may be lawful for any person or persons, natives or foreigners, bodies politick or corporate, to contribute, by paying at or before the respective times by this act limited in that behalf, to any receiver or receivers to be appointed for that purpose, as is herein after-mentioned, the sum of ten pounds, or divers entire sums of ten pounds, upon this act; and that every such contributor or adventurer, for every such sum of ten pounds, which he, she or they shall so advance, shall be interested in such lot or share of and in the joint stock of annuities established by this act, as is herein after-mentioned and appointed in that behalf; and the same entire sums of ten pounds each are hereby appointed to be paid unto such receiver or receivers at such time or times, and in such proportions at a time as are herein after-mentioned in that behalf; that is to say, ten pounds *per centum*, part thereof, by way of deposit, on or before

before the twentieth day of *March* in the year of our Lord one thousand seven hundred and fifty; fifteen pounds *per centum*, other part thereof, on or before the fifteenth day of *May* then next ensuing; twenty five pounds *per centum*, other part thereof, on or before the twelfth day of *July* then next ensuing; twenty five pounds *per centum*, other part thereof, on or before the seventh day of *September* then next ensuing; and the remaining twenty five pounds *per centum*, on or before the seventh day of *October* then next following.

Commissioners of the treasury to appoint managers of the lottery, and receivers; and to take security. Receivers shall deliver tickets to the contributors. There shall be printed 70,000 tickets; and 10,000 tickets shall be the fortunate tickets, and shall be written upon in manner following, viz. upon two severally, 10,000 l. principal money; upon four 5000 l. upon five 3000 l. upon eight 2000 l. upon twenty 1000 l. upon forty one 500 l. upon two hundred 100 l. upon four hundred and twenty 50 l. upon nine thousand three hundred 20 l. Which sums, with 500 l. to the first drawn ticket, and 1000 l. to the last drawn, will amount to 340,000 l. which being added to 360,000 l. payable on the remaining 60,000 blank tickets, at 6 l. each blank, do amount to 700,000 l. being the total principal in respect of the lottery. Manner of drawing the lottery. Prizes to be entered in a book. When the lottery is drawn, a list of the prizes to be printed. Disputes to be determined by the managers. Counterfeiting of tickets or certificates, shall be adjudged felony. Tickets to be disposed of shall be delivered into the exchequer. Guardians may adventure infants money, so as such infants names be in the receipts and tickets. Limitation of sale of chances, &c. Persons selling shares in tickets of which they are not possessed, &c. to forfeit 500 l. After the drawing of the lottery, the tickets to be exchanged for certificates. EXP.

XXVII. And be it further enacted by the authority aforesaid, Accomptant That the said accomptant general of the *South Sea* company for general to the time being, to whom the said certificates are to be directed give credit as aforesaid, shall, upon receiving and taking in the said certificates, or any of them, give credit to the persons named therein, in the same book or books with the contributors for the purchase of the annuities not exceeding one million four hundred thousand pounds, herein before directed to be inserted in a book or books, or in any other book or books to be by him provided and kept for that purpose, for the principal sums contained in every such certificate; and the persons to whose credit such principal sums shall be entered in the said book or books, his, her or their executors and administrators, shall and may have power to assign and transfer the same, or any part, share, or proportion thereof, to any other person or persons, bodies politick or corporate whatsoever, in other books, to be prepared and kept by the said accomptant general for that purpose; and the principal sums so assigned or transferred, shall carry the said annuity of three pounds *per centum per annum*, and shall be taken and deemed to be stock transferrable by this act, according to the powers and authority herein after mentioned, until the redemption thereof as aforesaid; and the said accomptant general of the *South Sea* company for the time being, is hereby authorized and directed to cancel and file the certificates as they shall from time to time be cancelled, and notes



given in lieu thereof.

to time be received and taken in by him, and to give the persons bringing in the same a note under his hand, testifying the principal money for which they have credit in the said book or books, by reason or means of the certificates so received, taken in, and cancelled as aforesaid, and of the annuities attending the same.

Chief cashier and accomptant general to be appointed.

XXVIII. And for the more easy and sure payment of the several and respective annuities, amounting in the whole to two millions one hundred thousand pounds, by this act authorized to be purchased as aforesaid; it is hereby further enacted by the authority aforesaid, That the said governor and company, and their successors, shall, from time to time, until the said several and respective annuities, after the rate of three pounds *per centum per annum* shall be redeemed according to this act, appoint and employ one sufficient person, within their office in the city of London, to be their chief cashier or cashiers, and one other sufficient person within the same office, to be their accomptant general; and that so much of the monies arising from time to time into the receipt of the exchequer, of or for the said *Sinking fund*, by this act appropriated for this purpose as aforesaid, as shall be sufficient from time to time to answer the said several and respective annuities, and other payments directed to be paid or discharged out of the same, shall, by order of the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or commissioners of the treasury of his Majesty, his heirs or successors for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, from time to time, at the respective half-yearly feast days or days of payment, in this act before appointed for payment thereof, be issued and paid at the said receipt of exchequer, to the said chief cashier or cashiers of the said governor and company, and their successors for the time being, by way of imprest, and upon account for the payment of the said several and respective annuities to be purchased upon this act, at such times, and in such manner and form, as are by this act prescribed in that behalf; and that all and every such cashier or cashiers, to whom the said monies shall from time to time be issued, shall from time to time without delay, apply and pay the same accordingly, and render his account thereof according to the due course of the exchequer; any thing herein contained to the contrary notwithstanding.

Monies for payment of the annuities to be issued from the exchequer by way of imprest, &c.

Accomptant general to inspect the cashiers receipts.

XXIX. And it is hereby also enacted, That the said accomptant general for the time being, shall from time to time inspect and examine all receipts and payments of the said cashier or cashiers, and the vouchers relating thereunto, in order to prevent any fraud, negligence or delay; and that all and every person and persons whatsoever, who shall be entitled to any of the said several and respective annuities, after the rate of three pounds *per centum per annum*, and all persons lawfully claiming under them, shall be possessed thereof as of a personal estate, and the same shall not be descendible to the heir, and shall not

Annuities to be a personal estate, &c.

be liable to any foreign attachment by the custom of *London*, or otherwise; any law, statute or custom to the contrary notwithstanding.

XXX. And be it further enacted by the authority aforesaid, That all the monies to be advanced or contributed, or to which any person or persons shall become entitled upon this act, for or towards the said sum not exceeding two millions one hundred thousand pounds, shall be deemed, reputed and taken to be one capital or joint stock, on which the said several and respective annuities, after the rate of three pounds *per centum per annum*, shall be attending; and that all and every person and persons, and corporations whatsoever, in proportion to the money by him, her or them advanced, or to which they shall become entitled as aforesaid upon this act, shall have and be deemed to have a proportional interest and share in the said stock, and in the annuity attending the same, at the rate aforesaid; and that the said whole capital or joint stock, or any share or interest therein, and the proportional annuity attending the same, shall be assignable and transferrable as this act directs, and not otherwise; and that there shall constantly be kept at all seasonable times, in the office of the said accomptant general for the time being, within the city of *London*, a book or books, wherein all assignments or transfers of the said whole capital or joint stock, or any part thereof, and the proportional annuity attending the same, at the rate aforesaid, shall be entered and registered; which entries shall be conceived in proper words for that purpose, and shall be signed by the parties making such assignments or transfers, or if such parties be absent, by his, her or their attorney or attorneys thereunto lawfully authorized, by writing under his, her or their hands and seals, to be attested by two or more credible witnesses; and that the person or persons to whom such transfer shall be made, do underwrite his, her or their acceptance thereof; and that no other method of assigning or transferring the said stock, and the annuities attending the same, or any part thereof, or any interest therein, shall be good or available in law; and that no stamp duties whatsoever shall be charged on the said transfers or any of them; any other law or statute to the contrary notwithstanding.

XXXI. Provided always, and it is hereby enacted by the authority aforesaid, That the said governor and company and their successors, (notwithstanding the redemption of all or any their own funds, in pursuance of the acts for establishing the same, or any of them,) shall continue a corporation, with all the powers, privileges and advantages thereunto belonging, for the purposes in this act expressed, till all the annuities to be purchased on this act shall be redeemed by parliament, according to the proviso herein after contained in that behalf; and that the said governor and company, or any members thereof, shall not incur any disability for or by reason of their doing any matter or thing in pursuance of this act.

XXXII. Provided always, and be it enacted by the authority

The monies contributed to be deemed a joint stock, &c.

and transferable.

Books to be kept for transfers.

Entries to be signed by the parties transferring and accepting.

The company to continue a company till redemption of the annuities.

Commission-  
ers of the  
treasury to  
pay the  
charges of ex-  
ecuting this  
act, out of the  
duties,

and appoint  
salaries for the  
cashiers, &c.

rity aforesaid, That the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby authorized, out of the said surplusses, excesses, or overplus monies, commonly called *The sinking fund*, by this granted act and appropriated as aforesaid, to discharge all such incident charges as shall necessarily attend the execution of this act, in such manner as to them shall seem just and reasonable; and also to settle and appoint such allowances (out of the contributions to the lottery aforesaid) as they shall think just and reasonable, for the service, pains and labour of the receiver or receivers of the contributions to the said lottery, for receiving and accounting for the same; as also for the service, pains and labour of the cashier or cashiers of the the said governor and company, for receiving and accounting for the contributions to the annuities granted by this act; and also such further allowances (out of the said *Sinking fund*, by this act appropriated as aforesaid) as they shall think just and reasonable, for receiving, paying and accounting for the several and respective annuities payable in respect thereof; and also for the service, pains and trouble of the accomptant general of the said governor and company, for performing the duty and trust incumbent on him by this act; all which allowances hereby empowered to be made as aforesaid, in respect to the service, pains and labour of any officer or officers of the said governor and company, shall be for the use and benefit of the said governor and company, and at their disposal only; any thing herein contained to the contrary notwithstanding.

No fee for pay-  
ment of con-  
tribution-  
money.

Transfers to  
be made gra-  
tis.

Penalty.

Clause of re-  
demption.

XXXIII. And it is hereby enacted by the authority aforesaid, That no fee or gratuity shall be demanded or taken of any of his Majesty's subjects, for receiving or paying the said contribution-monies, or any of them, or for any tallies or receipts concerning the same, or for issuing the monies for paying the said several annuities, or any of them, or for paying the said annuities or any of them; and that no fee or gratuity shall be demanded or taken for any transfer, great or small, to be made in pursuance of this act; upon pain that the officer or person offending, by taking or demanding any such fee or gratuity contrary to this act, shall forfeit the sum of twenty pounds to the party grieved, to be recovered with full costs of suit, in any of his Majesty's courts of record at *Westminster*.

XXXIV. Provided also, and it is hereby enacted by the authority aforesaid, That any time upon one year's notice, to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by authority of parliament, at any of the half-yearly feast days for payment of the said respective annuities, or either of them, and upon repayment by parliament of the respective principal sums for which the said respective annuities or either of them shall be payable to such respective persons or corporations as shall be entitled to the same annuities, by payments not less than five hundred thousand pounds at a time; then,  
and

and not till then, the said respective annuities shall cease and determine, and be understood to be redeemed; and from and after such redemption, the monies arising from the said *Sinking fund*, shall not be issued or applied to any use or purpose, but as shall be directed by future act or acts of parliament; any thing in this or any former act or acts of parliament to the contrary notwithstanding; and that any vote or resolution of the house of commons, signified by the speaker in writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient notice within the words and meaning of this act.

XXXV. And it is hereby enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued or prosecuted for any thing by him or them done or executed in pursuance of this act, or of any matter or thing in this act contained, such person or persons shall and may plead the general issue, and give the special matter in evidence for his or their defence; and if upon the trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, then such defendant or defendants shall have treble costs to him or them awarded against such plaintiff or plaintiffs. General issue.  
Treble costs.

### CAP. III.

An act for enlarging the term and powers granted by an act passed in the twelfth year of the reign of his present Majesty, for repairing the road between Stamford and Grantham in the county of Lincoln; and for making the same more effectual. *The act 12 Geo. 2. c. 8. continued for 21 years.*

### CAP. IV.

*An act for enabling his Majesty to raise the several sums of money therein mentioned, by exchequer bills, to be charged on the Sinking fund; and for impowering the commissioners of the treasury to pay off the old and new unsubscribed South Sea annuities out of the supply granted to his Majesty for the service of the year one thousand seven hundred and fifty one; and for enabling the bank of England to hold general courts, and courts of directors, in the manner therein directed; and for giving certain persons liberty to subscribe bank and South Sea annuities omitted to be subscribed pursuant to two acts of the last session of parliament.*

*Most gracious Sovereign,*

WHEREAS by an act of parliament made and passed in the twenty third year of his Majesty's reign, intituled, An act for giving further time to the proprietors of annuities after the rate of four pounds *per centum per annum* to subscribe the same in the manner and upon the terms therein mentioned; and for redeeming such of the said annuities as shall not be so sub-

scribed; and for empowering the East India company to raise certain sums by transferrable annuities, it is amongst other things enacted, That any person or persons, bodies politic or corporate, who are interested in, or intitled unto, any part of the national debt incurred before Michaelmas, one thousand seven hundred and forty nine, redeemable by parliament, which carried an interest after the rate of four pounds per centum per annum; and which was not subscribed in pursuance of a former act of the same session of parliament, and who should, on or before the thirtieth day of May one thousand seven hundred and fifty subscribe their names, and signify their consent, to accept of an interest of three pounds per centum per annum, to commence from the twenty fifth day of December, one thousand seven hundred and fifty five, subject to the same provisos, notices and clauses of redemption, which their respective four per cents were liable to, should, in lieu of their present interest, be intitled unto, and receive an interest of four pounds per centum per annum, until the twenty fifth day of December, one thousand seven hundred and fifty; and from and after the said twenty fifth day of December, one thousand seven hundred and fifty, an interest of three pounds ten shillings per centum per annum, until the twenty fifth day of December, one thousand seven hundred and fifty five; and that no part of the same should be liable to be redeemed until the said twenty fifth day of December, one thousand seven hundred and fifty five; and that such part of the national debt incurred before Michaelmas one thousand seven hundred and forty nine, redeemable by law, which carried an interest of four pounds per centum per annum, and which should not be subscribed before the said thirtieth day of May, one thousand seven hundred and fifty, should be redeemed and paid off; and that it should be lawful for the King's most excellent majesty, by warrant under his royal sign manual, to authorize and empower the commissioners of the treasury, or the high treasurer for the time being, to raise by loans or exchequer bills, or by way of subscription, or in such other manner as his Majesty in his great wisdom should think most for the advantage of the publick, from any person or persons, bodies politic or corporate, any sum or sums of money, not exceeding such part of the national debt, carrying an interest of four pounds per centum per annum, redeemable by law, as should not be subscribed in pursuance of the said recited act, or the said former act, to be charged on the Sinking fund, and to be applied to pay off and redeem such part of the national debt so unsubscribed as aforesaid, upon any terms not exceeding the rate of interest in the said recited act mentioned: and whereas, since the passing of the said act, a great part of the annuities, after the rate of four pounds per centum per annum, which remained unsubscribed upon the former act, have been since subscribed, so that the principal sums remaining unsubscribed on the said thirtieth day of May one thousand seven hundred and fifty, upon the annuities payable at the exchequer and bank of England, do amount in the whole to the sum of one million twenty six thousand four hundred seventy six pounds four shillings and six pence; which said sum of one million twenty six thousand four hundred seventy six pounds four shillings and six pence, is directed by the said recited act to be paid off

off and redeemed, at the stated times, and in the proportions herein after-mentioned, according to the several notices given by the speaker of the house of commons the last session of parliament in that behalf; that is to say, the principal sum of one hundred eighty two thousand two hundred and fifty pounds, the amount of the unsubscribed exchequer order payable thereof of the duties upon wrought plate, on the twenty fifth day of March one thousand seven hundred and fifty one; and the principal sum of one hundred seventy five thousand five hundred seventy one pounds six shillings and one penny, the amount of the unsubscribed annuities of the year one thousand seven hundred and forty six; and also the principal sum of seventy one thousand seven hundred twenty three pounds nine shillings and six pence, the amount of the unsubscribed lottery annuities one thousand seven hundred and forty seven, both transferrable at the bank of England, on the twenty fourth day of June one thousand seven hundred and fifty one; and the principal sum of two hundred and eleven thousand six hundred thirty four pounds fifteen shillings, the amount of the unsubscribed annuities of the year one thousand seven hundred and forty seven, transferrable as aforesaid, on the twenty ninth day of September one thousand seven hundred and fifty one; and the principal sum of two hundred eighty one thousand three hundred twenty one pounds one shilling and nine pence, the amount of the unsubscribed annuities of the year one thousand seven hundred and forty eight, transferrable as aforesaid, on the twenty fifth day of March one thousand seven hundred and fifty one; and also the principal sum of one hundred and three thousand nine hundred seventy five pounds twelve shillings and two pence, the amount of the unsubscribed annuities of the year one thousand seven hundred and forty nine, transferrable as aforesaid, on the twenty ninth day of September one thousand seven hundred and fifty one: and whereas the governor and company of the bank of England have proposed to advance and pay into the receipt of his Majesty's exchequer the sum of one million twenty six thousand four hundred sixty six pounds four shillings and six pence, at the stated times and in the proportions before mentioned, upon condition that exchequer bills be issued to them on or before the times the said several sums are proposed to be advanced; which bills are to be made forth at the said receipt, and charged on the surplusses, excesses or overplus monies, commonly called the Sinking Fund, at an interest not exceeding the rate of three pounds per centum per annum, to be paid out of the said Sinking fund, and to commence from the stated times on which the several sums are proposed to be advanced; and that the principal sums contained in such exchequer bills shall be repaid to them out of the first excesses or surplusses of the said Sinking fund that shall be applied to the payment of the principal of the national debt: and whereas, since the making of the said proposal, the sum of thirteen thousand three hundred twenty eight pounds, in bank annuities, is by this act directed and allowed to be subscribed by the proprietors thereof, so that the principal sum to be advanced by the said governor and company, to pay off the remaining unsubscribed annuities before mentioned, will amount to the sum of one million thirteen thousand one hundred forty eight pounds four shillings and six pence only: now we, your Majesty's most

Treasury im-  
powered to  
agree with the  
bank,

for raising  
1,015,148 l.  
4 s. 6 d. by  
exchequer  
bills

at 3 l. per cent.

payable quar-  
terly out of  
the sinking  
fund;

dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being of opinion that it will be of advantage to the publick to accept of the said propofal, and being also desirous to lessen the interest of the national debt, as far as may be consistent with justice and publick faith, do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, on his Majesty's behalf, to contract and agree with the said governor and company of the bank *England* to advance and pay into the said receipt of exchequer, any sum or sums of money not exceeding in the whole the said reduced sum of one million thirteen thousand one hundred forty eight pounds four shillings and six pence, for exchequer bills to be made forth at the said receipt, in manner hereafter mentioned, in such proportions and at such stated times as are herein before directed, towards paying off and redeeming the said several unsubscribed annuities, amounting to the said sum of one million thirteen thousand one hundred forty eight pounds four shillings and six pence, according to the several notices given by the speaker of the house of commons in that behalf as aforesaid.

II. And be it further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall have, receive and enjoy, and shall be intitled by virtue of this act, to have, receive and enjoy an interest or premium, after the rate of three pounds *per centum per annum*, for the said principal sum of one million thirteen thousand one hundred forty eight pounds four shillings and six pence, to be advanced by them into the said receipt of exchequer, in the manner following; that is say, on the sum of four hundred fifty two thousand two hundred forty three pounds one shilling and nine pence, from the twenty fifth day of *March* one thousand seven hundred and fifty one; on the sum of two hundred forty six thousand two hundred ninety four pounds fifteen shillings and seven pence, from the twenty fourth day of *June* one thousand seven hundred and fifty one; and on the sum of three hundred fourteen thousand six hundred ten pounds seven shillings and two pence, from the twenty ninth day of *September* one thousand seven hundred and fifty one; which said interest or premium shall from time to time be paid to the said governor and company, and their successors, by quarterly payments out of the monies arising at the said receipt of exchequer, of or for the said surplusses, excesses or overplus monies, commonly called the *Sinking fund*, until such times as the said exchequer bills so to be issued, or any part thereof shall be discharged and cancelled, in the manner and form by this act hereafter provided.

III. And

III. And be it further enacted by the authority aforesaid, and to prepare<sup>e</sup> That the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and impowered to prepare and make, or cause to be prepared and made, at the exchequer at once, or at the stated times, and in the proportions herein before directed, in such method and form as they or he shall think most safe and convenient, any number of new exchequer bills, containing one common sum or different sums in the principal moneys, so as such bills do not exceed in the whole, the said principal sum of one million thirteen thousand one hundred forty eight pounds four shillings and six pence.

IV. And be it further enacted by the authority aforesaid, to bear interest at 3 l. per cent. That the said bills to be made and prepared in pursuance of this act, shall and may bear an interest not exceeding the said rate or premium of three pounds *per centum per annum*, and proportionably for any greater or less sum to be contained therein, and to be payable to the bearers thereof respectively; nevertheless the said interest shall be abated and saved upon such of the said bills to be made forth by this act, as shall at any time or times be in the receipt of the exchequer, or in the hands or power of any receivers or collectors of any taxes, aids or revenues whatsoever, payable to his Majesty, his heirs or successors, during such time and times respectively as such bills shall be or remain in the said receipt, or in such hands or power as aforesaid.

V. And it is hereby enacted, That all the said bills shall be numbered arithmetically, beginning with N<sup>o</sup> I. and so proceeding in an arithmetical progression ascending, wherein the common excess or difference shall always be one, and shall be registered accordingly, so that the principal sum to be contained in every such bill, may regularly be paid off and discharged in course, according to the number of every such bill, as it shall stand in the said register, and that the interest upon all and every the same bills shall be payable every three months, according to the purport and true meaning of this act; and that upon every such bill there shall be indorsed, printed or written in words at length, or in figures, the sum, after which the principal to be contained therein shall be payable in such course as aforesaid, according to the purport and true meaning of this act.

VI. And it is hereby further enacted, That all the said bills and made with shall be prepared and made with such cheques, indents or counterfoils as shall be directed by the commissioners of the treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being; and that the person or persons who shall be appointed to pay off the said bills in course, shall from time to time have the use and custody of one part of all the cheques, indents or counterfoils of the said exchequer bills, to be prepared and made by virtue of this act, from which the same



same shall have been cut, to prevent his or their being imposed upon by counterfeit or forged bills; and that the undertakers or contractors for exchanging and circulating the said bills or such of them as shall be current, shall from time to time have the use and custody of one other part of all the said cheques, indents or counterfoils of the said exchequer bills, from which the same shall have been cut off as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged bills; and that all the said parts of the said cheques, indents or counterfoils shall be delivered back into the exchequer, when the said bills to be made forth by virtue of this act, shall be paid off, cancelled and discharged.

and to be placed as  
such in the exche-  
quer,

VII. And it is hereby enacted, That the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall, and they are hereby respectively authorized and empowered, to cause such bills as shall be prepared by virtue of this act, to be placed as so much cash in the respective offices of the tellers of the said receipt of the exchequer, each and every of which tellers shall be severally charged with the proportion of the said bills, which shall be so placed in his office respectively; any law or usage to the contrary notwithstanding.

to be current,  
and subject to  
such rules, &c.  
as in the malt  
act.

VIII. And be it further enacted by the authority aforesaid, That all the said bills to be issued as aforesaid, shall be current in like manner, and with such privileges and advantages, and subject to such rules and directions as are prescribed and enacted by an act of this present session of parliament, (intituled, *An act for continuing and granting to his Majesty, certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and fifty one,*) for or concerning the exchequer bills thereby authorized to be made forth; and that all and every the clauses and provisos in the said last mentioned act, relating to the currency, exchanging or receiving the same last-mentioned exchequer bills, by any publick receivers of aids, taxes or supplies, or in his Majesty's receipt of the exchequer, or for forging, counterfeiting or altering the same bills, or making out new bills in the room of such as shall be filled up with indorsements, lost, burnt, defaced or otherwise destroyed, or for making out exchequer bills of five thousand pounds each, or for making out exchequer bills, without bearing interest, or for making them afterwards to bear an interest, or a higher or lower rate of interest, from time to time, as the contractors shall agree to, or for preventing any misapplication of the fund on which the same are charged, or any other misbehaviour of any officers concerned in the receiving, issuing, exchanging, paying off or cancelling the same last mentioned exchequer bills, or for obliging the contractors to pay the interest of, or exchange for ready money on demand, the exchequer bills thereby authorized to be issued, at a rate or premium not exceeding three pounds *per centum per annum*, or for preventing any

any disabilities in any such contractors, or for making them not liable to be bankrupts on account of such contracts, or for appointing a paymaster or paymasters, for paying off and cancelling the same exchequer bills in due course and order, (not otherwise altered by this act) shall extend, and be construed to extend, as well to the exchequer bills by this act authorized to be made forth, as to the exchequer bills to be made forth in pursuance of the said act, for continuing and granting the duties upon malt, mum, cyder and perry (except such clauses as do charge the same on the rates or duties continued and granted by the same act) as amply, fully and effectually, to all intents and purposes, as if the same clauses or provisos had been particularly repeated and re-enacted *verbatim* in this act.

IX. And be it further enacted by the authority aforesaid, That the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall or may issue, or cause to be issued, to such paymaster or paymasters to be constituted as aforesaid, by way of imprest and upon account, so much monies out of the growing produce of the said surplusses, excesses or overplus monies, called the *Sinking Fund*, as shall from time to time incur and grow due to the said contractors, for the interest or premium upon the said exchequer bills to be made forth by this act, during the continuance thereof, and such other payments as are by this act directed or allowed to be paid or discharged out of the same; any thing in this or any former act or acts of parliament to the contrary notwithstanding.

Treasury to issue the monies due for interest, by way of imprest to the paymaster.

X. Provided always, and it is hereby enacted by the authority aforesaid, That the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall have power, and they are hereby enabled, to pay and allow, or cause to be paid and allowed, out of the growing produce of the said *Sinking Fund*, from time to time, the necessary charges of making forth the new exchequer bills hereby authorized to be made forth, and such other charges as shall be necessarily incident in or for the execution of this act, in relation to the said bills; any thing herein contained to the contrary notwithstanding.

Charges of making forth the bills, &c. to be paid out of the sinking fund.

XI. Provided also, and it is hereby further enacted by the authority aforesaid, That it is the true intent and meaning of this act, that the exchequer bills hereby authorized to be made forth, not exceeding the sum of one million thirteen thousand one hundred forty-eight pounds four shillings and six pence, as aforesaid, shall be, and they are hereby charged upon the said surplusses, excesses or overplus monies, commonly called the *Sinking Fund*; and that the same exchequer bills shall from time to time be paid off to the said governor and company out of the first monies that shall from time to time arise into the said receipt of the exchequer, of or for the said *Sinking Fund*, and which shall be applied to the payment of the principal of the

The bills charged upon the sinking fund.

national

**national debt, and not otherwise: and the said commissioners** of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall and may, and they are hereby authorized and enabled, to cause such monies which shall from time to time arise at the said receipt of the exchequer, of or for the said *Sinking Fund* (except such monies of the said *Sinking Fund* as are or shall be appropriated to any particular use or uses by any act or acts of parliament in that behalf) to be paid from time to time to such paymaster to be constituted as aforesaid, by way of imprest and upon account, to be by him applied towards the paying off and discharging the exchequer bills hereby authorized to be made forth as aforesaid, or any part thereof, in such course as aforesaid, at such times, and in such proportions, as the said commissioners of the treasury, or any three or more of them, or the said high treasurer for the time being, shall judge to be most for the advantage of the publick; from which respective time or times of paying off and discharging the said exchequer bills, or any part thereof, by such paymaster as aforesaid, a proportional part of the interest or premium payable for such exchequer bills so paid off or discharged, at the rate aforesaid, shall cease and determine; any thing in this or any other act or acts of parliament to the contrary in any wise notwithstanding.

**XII.** *And whereas your Majesty's said dutiful commons did resolve, towards raising the supply granted to your Majesty, to enable your Majesty to borrow a further sum not exceeding two hundred twenty-five thousand twenty-three pounds seven shillings and eleven pence, at an interest of three pounds per centum per annum, to be charged on the said Sinking Fund: and whereas, since the making of the said resolution, the sum of forty-eight thousand one hundred twenty-nine pounds sixteen shillings and four pence, in old and new South-Sea annuities, is by this act directed and allowed to be subscribed by the proprietors thereof, so that the principal sum now necessary to be advanced by the said governor and company of the bank of England, will be reduced to the sum of one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence only; be*

Treasury to  
contract for a  
further sum of  
176,893l. 11s.  
7d. by exche-  
quer bills,

it therefore further enacted by the authority aforesaid, That it shall and may also be lawful to and for the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, on his Majesty's behalf, to contract and agree with any person or persons, bodies politic or corporate, to advance and pay into the said receipt of exchequer, any further sum or sums of money, not exceeding in the whole the said sum of one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, for exchequer bills to be made forth at the said receipt, and issued to them at such time or times as the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners

of the treasury for the time being, shall think most convenient for the advantage of the publick; which said exchequer bills shall be and are hereby also charged on the said surplusses, excesses, or overplus monies, commonly called the *Sinking Fund*, at an interest not exceeding three pounds *per centum per annum*, to be paid out of the said *Sinking Fund*, and commence from the time or respective times on which the said sum not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, is or shall be advanced into the said receipt; and that the principal sum contained in such exchequer bills shall be repaid out of the said excesses or surplusses of the said *Sinking Fund* that shall be applied to the payment of the principal of the national debt, in manner herein after-mentioned and directed.

chargeable on  
the sinking  
fund,

XIII. And be it further enacted by the authority aforesaid, That all and every such person or persons, bodies politick or corporate, shall have and receive, and shall be intitled, by virtue of this act, to have and receive, an interest or premium, after the rate of three pounds *per centum per annum*, for the said principal sum not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, so to be advanced by them into the said receipt of exchequer, to commence from the respective time or times of advancing the same as aforesaid; which said interest or premium shall from time to time be paid to them by quarterly payments, out of the monies arising at the said receipt, of or for the said surplusses, excesses or overplus monies of the said *Sinking Fund* as aforesaid, until such times as the said exchequer bills so to be issued, or any part thereof, shall be discharged and cancelled in the manner and form by this act hereafter provided.

payable quar-  
terly,

XIV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, to cause exchequer bills to be made forth at the said receipt, for any sum or sums money, not exceeding the said sum of one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, in the same or like manner, form and order, and according to the same or like rules and directions, as are herein before enacted and prescribed concerning the exchequer bills herein before directed to be made forth; and that all and every the clauses, provisos, powers, privileges, advantages, penalties, forfeitures and disabilities herein before contained or referred unto, relating to the said exchequer bills (except as before excepted) shall be applied and extended to the exchequer bills to be made forth for the said sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, as fully and effectually, to all intents and purposes, as if the said several clauses or provisos had been herein again particularly repeated and re-enacted.

Bills to be  
made for the  
sum,

XV. And

and to be  
numbered,

XV. And be it further enacted by the authority aforesaid, That all and every the said exchequer bills last-mentioned, shall be numbered arithmetically, beginning from the number which shall be expressed upon the last of the bills herein before directed to be made forth, and shall be registered accordingly, and paid in course, according to the directions herein contained in that behalf.

to be paid out  
of the sinking  
fund.

XVI. Provided also, and it is hereby declared, That it is the true intent and meaning of this act, that the said exchequer bills hereby directed to be made forth for the said sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, shall (from and after the paying off and discharging all and every the exchequer bills by this act before directed to be made forth for the principal sum of one million thirteen thousand one hundred forty-eight pounds four shillings and six pence, and all the interest and premium due thereupon) be repaid out of the first monies that shall from time to time arise into the said receipt, of or for the said *Sinking Fund*, that shall be applied to the payment of the principal of the national debt, and not otherwise; and the said commissioners of the treasury, or any three or more of them, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall and may, and they are hereby authorized and empowered to cause such monies of the said *Sinking Fund* (except such monies of the said *Sinking Fund* as are or shall be appropriated to any particular use or uses by any act or acts of parliament in that behalf) to be issued from time to time, to such paymaster as shall be appointed in pursuance of this act, by way of imprest and upon account, to be by him applied towards the paying off and discharging the said exchequer bills to be made forth for the said principal sum, not exceeding one hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, or any part thereof, in such course and order as aforesaid, and at such times, and in such proportions, as the said commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, shall think fit; from which respective time or times of paying off the said exchequer bills, or any part thereof, by such paymaster as aforesaid, a proportional part of the interest or premium payable thereupon, at the time of paying off the same shall cease and determine; any thing herein contained to the contrary notwithstanding.

XVII. And for obviating all doubts and difficulties which shall or may arise in relation to the paying off and discharging the respective stocks of old and new *South-Sea* annuities, as have not been subscribed in pursuance of two acts passed in the last session of parliament, for redeeming the several annuities, carrying an interest after the rate of four pounds *per centum per annum*, directed to be redeemed and paid off; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of the treasury, or any three

or

Treasury to  
pay off the

or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, to issue and pay, or cause to be issued and paid, out of any monies arisen or to arise into the receipt of his Majesty's exchequer, of or for all or any the aids or supplies granted to his Majesty for the service of the year one thousand seven hundred and fifty-one, unto the governor and company of merchants of Great Britain trading to the *South-Seas*, and other parts of *America*, and for encouraging the fishery, commonly called the *South-Sea Company*, any sum or sums of money, not exceeding the sum of two millions two hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, being the total principal sum remaining due and payable upon the said unsubscribed old and new *South-Sea* annuities (after deducting the sum of forty-eight thousand one hundred twenty-nine pounds sixteen shillings and four pence, by this act authorized and directed to be subscribed into the said annuities) at such respective time or times, and in such proportions, by payments not less than five hundred thousand pounds at a time, as they shall think most proper and convenient, towards redeeming and paying off the said annuities; and as the said payments of principal money shall from time to time be made, a proportional part of the said annuities, and also of the annuities attending thereon, and of the allowances for charges of management, shall cease and determine.

by payments  
not less than  
500,000l. at a  
time.

XVIII. And be it further enacted by the authority aforesaid, That the said *South-Sea* company shall forthwith upon the receipt of the said sum of two millions two hundred seventy-six thousand eight hundred ninety-three pounds eleven shillings and seven pence, or any part thereof, by such payments as aforesaid, or as soon after as conveniently may be, divide out and distribute the same as near as may be amongst all the several proprietors of the said old and new annuities respectively, towards striking and discharging so much of their shares or interests in the said respective annuities, by even and equal dividends amongst them all, in proportion to their respective shares or interests therein.

South-sea  
company to  
distribute the  
same among  
the proprie-  
tors.

XIX. And to the end, intent and purpose, That all trust estates and interests in the said capital stocks of old and new *South-Sea* annuities, may be preserved and improved for the benefit of the persons concerned therein, with the least expence and inconvenience to them; be it enacted by the authority aforesaid, That in all and every cases where, in pursuance of this act, any payments or dividends shall be made of the capital of any such annuity stock, as shall be vested in any person or persons in trust for other persons who have or claim distinct or different interests therein, or for any other ends or purposes, for which the capital sum or annuity ought to be preserved intire, such payments or dividends of the capital stock of annuities, shall not be paid or applied as dividends of profit, annuity, or interest, but shall remain in the hands of such trustees respectively,

Trustees may  
lay out the  
money in the  
purchase of  
other stock,

till

till otherwise disposed of at interest; and for that purpose, it shall and may be lawful to and for the trustee or trustees who shall receive the same, at his or their discretion to lay out or dispose of the same, or any part thereof, in the purchase of so much other capital stock of annuities of the same kind, as hath been subscribed in pursuance of the said two acts of the last session of parliament, or either of them, as at the current market price of such annuity stock, the monies received for such dividends, shall, as near as conveniently may be, extend to purchase; which new purchased stock of annuities shall be transferred to such trustee or trustees, and a receipt or receipts shall be given and signed by the person or persons transferring the same, for the monies paid for the same; and in case such trustees respectively, by writing indorsed on or annexed to such receipts, and signed or acknowledged before one of the masters of the high court of chancery, shall declare that the money in the said receipts were the produce of the said dividends of the said capital stock of annuities (which signing or acknowledgement such masters in chancery are hereby required to accept or take, and each and every such master, before whom the same shall be done, shall at the same time certify the same, by subscribing his name thereto, for doing whereof such master shall be paid for each certificate one shilling and no more) then and in every such case, the annuity stock mentioned in such receipts to be transferred, shall respectively go and be deemed subject and liable to the same trusts, for the benefit of the same persons, and for the same uses, ends, intents and purposes, as the rest of the trust annuity stock remaining in such trustees respectively will or ought to be subject and liable to, and such trustees respectively shall from thenceforth be indemnified from any loss, charges or damages, on account of their so doing, at the expences of the said trust estates.

or in any other  
purchase.

XX. Provided always, That nothing in this act contained shall extend or be construed to extend to restrain or prohibit any such trustees from laying out or disposing of any of the said trust monies in any other purchases or any other securities, whether publick or private, if they shall so think fit, in the same manner and with the same freedom and security to themselves, as they might have done if this act had not been made.

XXI. *And whereas doubts have arisen with regard to the taking the oaths and affirmation, and subscribing the declaration appointed by the charter of the governor and company of the bank of England, to be taken and subscribed by all and every the members of every general court: and whereas the administering the said oaths and affirmation, and subscribing the declaration at every general court, will be a great delay to the proceedings of the said general court;* be it therefore enacted by the authority aforesaid, That it shall and may be lawful for the said governor and company in any general court, to proceed to transact any business, without administering the said oaths and affirmation to, or subscribing the said declaration by, all or any of the members of the said court, unless required thereto, by any nine or more of the proprietors present,

The bank may  
proceed in any  
general court  
without admin-  
istering the  
oaths, &c, ap-  
pointed by  
their charter.

qualified

qualified to vote at the said general court according to the charter; any thing in their said charter, or any act or acts of parliament contained in any wise to the contrary notwithstanding.

XXII. And be it further enacted by the authority aforesaid, That when any court of directors of the said governor and company shall be met according to any summons or appointment, and shall have notice or be otherwise satisfied, that the governor and deputy governor of the said corporation, will not be present so as to hold the said court of directors, or in case the said governor and deputy governor shall be absent after the usual time of proceeding to business, that then and in such case it shall and may be lawful for the said court of directors, and they are hereby authorized and impowered, to chuse a chairman for that time (which chairman shall also in the like case preside at a general court, if any shall at that time be summoned to meet) and to proceed to business, and transact the affairs of the corporation, and that the transactions of the said general court and court of directors respectively shall be as valid and effectual to all intents and purposes, as if the said governor or deputy governor had been present; any thing in the charter of the said corporation, or any act or acts of parliament contained in any wise to the contrary notwithstanding.

Court of directors may chuse a chairman in the absence of the governor or deputy governor.

XXIII. *And whereas several persons, not being timely apprized of the notice given for subscribing in their several annuities, being in his Majesty's colonies in America, and other parts beyond the seas, or from unavoidable accidents have been deprived subscribing the same;* be it therefore enacted by the authority aforesaid, That the sums which were standing in the respective names of the following persons, on the twenty-eighth day of February one thousand seven hundred and forty-nine, shall be intitled to the benefit of the vote of the house of commons, passed the twenty-ninth day of November one thousand seven hundred and forty-nine, *videlicet*, Charles Apthorp of Boston in New England, to the sum of five thousand three hundred twenty-eight pounds in bank annuities, John Erving of the same place to the sum of six thousand pounds in bank annuities, Daniel Huger of South Carolina to the sum of eight thousand pounds in old South-Sea annuities, John Smith to the sum of eleven thousand pounds in old South-Sea annuities, and to the sum of two thousand one hundred pounds in new South-Sea annuities, instead of the like sums subscribed to the second resolution passed in the same year, Ralph Willet to the sum of three thousand pounds in old South-Sea annuities, Elias Moses Desfortis to the sum of three thousand four hundred and fifty-one pounds joint stock in the new South-Sea annuities, Hugh Holmes to the sum of four thousand three hundred pounds old South-Sea annuities, John Saunderson to five hundred pounds old South-Sea annuities, John Armstrong to the sum of two hundred and twenty-five pounds old South-Sea annuities, John Jolly to the sum of one thousand pounds old South-Sea annuities, two thousand pounds new South-Sea annuities, one thousand pounds bank annuities, of the year one thousand seven hundred and forty-

Liberty given to certain persons to subscribe bank and south sea annuities omitted to be subscribed pursuant to two acts of the last session.



seven, and one thousand pounds lottery annuities of the year one thousand seven hundred and forty-seven, in as full and ample manner, as if they had severally and respectively accepted the said terms on or before the said twenty-eighth day of *February* one thousand seven hundred and forty-nine.

Sums standing  
in the joint  
names of Sa-  
muel Edwards  
and Hugh  
Briggs, inti-  
tled to the be-  
nefit of the  
vote of 21  
March 1749.

XXIV. And be it further enacted by the authority aforesaid, That the sums that were standing in the joint names of *Samuel Edwards*, deceased, and *Hugh Briggs*, now Sir *Hugh Briggs*, baronet, on the twenty-eighth day of *February* one thousand seven hundred and forty-nine, shall be intituled to the benefit of the vote of the house of commons, passed the twenty-first day of *March* one thousand seven hundred and forty-nine, *videlicet*, twelve thousand two hundred and ten pounds two shillings and one penny, in new *South-Sea* annuities, and thirteen thousand four hundred and forty-three pounds fourteen shillings and three pence, in old *South-Sea* annuities, in as full and ample manner, as if they had severally accepted the said terms on or before the thirtieth day of *May* one thousand seven hundred and fifty.

#### CAP. V.

An act to indemnify persons who have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose. E X P. *Time given to 28 Nov. 1751.*

#### CAP. VI.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters. E X P.

#### CAP. VII.

An act for granting an aid to his Majesty by a land tax to be raised in Great Britain, for the service of the year one thousand seven hundred and fifty-one. Exp. *At 3 s. in the pound.*

#### CAP. VIII.

*An act for the better carrying on and regulating the navigation of the rivers Thames and Isis, from the city of London westward, to the town of Cricklade in the county of Wilts.*

**W**HEREAS the rivers of Thames and Isis have, time out of mind, been navigable from the city of London to the village of Bercott in the county of Oxford; and from the city of Oxford westward, beyond Letchlade in the county of Gloucester: and whereas in and by an act of parliament, made and passed in the one and twentieth year of the reign of his late majesty King James the First, intituled, An act for making the river of Thames navigable for barges, boats and lighters, from the village of Bercott in the county of Oxford, unto the university and city of Oxford) the said rivers were made navigable from the said village of Bercott to the said city of Oxford: and whereas divers abuses have heretofore been, and still are committed, by the owners of the several towing-paths, and other passages on the banks of the said rivers, and by the

the owners of the locks, weirs, turnpikes, dams, flood-gates, and other engines in and upon or near adjoining to the said rivers: and also by the several barge-masters, and their servants, navigating thereon; by reason whereof and other exactions, the price of water-carriage, on those rivers, hath of late years been very much raised, contrary to the intent and provision of divers wholesome and good laws, made and passed for the due regulation of the said navigation; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That for preventing all abuses and exactions, which may or can lessen the navigation of the said rivers, and render the same less useful to the publick, all and every person or persons who are or shall be assessed and charged, and do and shall pay towards the aid granted unto his Majesty by an act of this present session of parliament, (intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and fifty-one*) or towards any future aid, by any future act or acts of parliament, for granting an aid to his Majesty, his heirs and successors, by a land tax in *Great Britain*, for and in respect of an estate in lands, tenements or hereditaments in his or their possession, or of some person in trust for him or them, of the yearly value of one hundred pounds in any or either, or all of the several counties of *Middlesex, Surry, Berks, Bucks, Oxon, Gloucester and Wilts*; and also the vice-chancellor, and the heads of colleges and halls in the university of *Oxford*; and the mayor or chief officer for the time being of the corporation and borough towns, lying upon the said rivers, shall be and are hereby constituted commissioners for putting in execution all and singular the powers in this act contained; and that all and every person and persons constituted and appointed a commissioner or commissioners by virtue or in pursuance of this act, before he and they respectively take upon himself or themselves to act as a commissioner or commissioners under this act (other than the administering the oath following to one another, which they, or any two of them, are hereby impowered and required to do) do and shall take and subscribe the following oath:

Commissioners to put this act in execution.

**I** A. B. do swear, That I will without favour or affection, truly, faithfully and impartially execute, perform and discharge the office and duty of a commissioner, according to the powers, authorities, and directions given and established by an act of parliament, (intituled, *An act for the better carrying on and regulating the navigation of the rivers Thames and Isis, from the city of London westward, to the town of Cricklade in the county of Wilts*) according to the best of my skill and knowledge.

Oath to be taken by the commissioners,

*So help me God.*

Which oath so taken and subscribed as aforesaid, shall be kept and to be registered by the clerk of the peace, among the records of the sessions of the

the peace, in and for the respective counties where the same shall be so taken and subscribed.

Times and places for the meeting of the commissioners.

II. And be it further enacted by the authority aforesaid, That the said commissioners, or any seven of them, for the further, better and more orderly putting in execution the powers hereby to them given and appointed, shall, for the first time, meet on the first day of *July* next ensuing, at the town-hall in *Reading* in the county of *Berks*; and from thence by adjournment, meet at the town hall in the city of *Oxford* on the fifth of *August* following; and for the like purposes, shall for the time to come, hold a general meeting upon the first *Tuesday* in *July* in every year, at the town hall in the said city of *Oxford*, and another on the first *Tuesday* in *September* following, in every year, at the town hall in *Reading* aforesaid, for such time or number of days as shall to the said commissioners seem convenient, and at any of the said meetings shall adjourn themselves from time to time to such place; and so from place to place, within the counties of *Middlesex*, *Surry*, *Berks*, *Buckingham*, *Oxford*, *Gloucester* and *Wilts*, and near to the same rivers, or some part thereof, as they shall think proper; and the said commissioners, or any five or more of them, are hereby impowered and authorized afterwards, at any time or times, when it shall happen that no general meeting is appointed to be held by adjournment, to appoint general meetings of the said commissioners, for putting in execution all or any of the powers hereby in them vested, at such times and places as they shall think proper, within any or either of the said counties, by or through which the said rivers run, upon or near the same, upon giving twenty days notice in the *London Gazette*, and some other publick news papers, as to the commissioners shall seem meet, of the time and place which shall be from time to time appointed for such general meetings; (at which the commissioners then present shall be at liberty, and are hereby impowered to adjourn themselves to such times and places, within any or either of the aforesaid counties, near the said rivers, as they shall think proper;) and the said commissioners, or any seven of them, or the major part of them assembled at such general meeting, shall at any or either of such general meetings, held at any of the respective times and places aforesaid, or in pursuance of such notice aforesaid only, for such number of days, as to them shall seem convenient, upon due examination of any person or persons, touching any matters or things which concern the better carrying on and regulating the navigation of the said rivers, or touching any matters in controversy between party and party relating thereto, upon oath, (which oath they are hereby impowered at such general meetings to administer, and shall be in these words:)

Power of appointing general meetings.

20 days notice of such meetings to be given in the *London Gazette*, &c.

Commissioners impowered to examine on oath,

**I** A. B. do swear, That such information or evidence as I shall give, shall be the truth, the whole truth, and nothing but the truth.  
So help me God.

And

And make orders and constitutions for the settling and ascertaining reasonable rates and prices to be taken from the owners of all barges, boats and vessels, for the use and exercise of all the towing-paths, gates and bridges, either by men or horses, as they are now used, or shall be used, at the discretion of the said commissioners, by the tenants or occupiers of all locks, weirs, bucks, winches, turnpikes, dams, flood-gates and other engines, and towing-paths, in, upon or near adjoining to the said rivers of *Thames* and *Isis*, or which do or may affect the navigation of the same, or shall be deemed by the said commissioners, or any seven of them, or the major part of them, assembled at such meeting or meetings as aforesaid, to be necessary or useful thereto, between the said city of *London* and the said town of *Cricklade*, for the help and assistance which barges, boats or vessels may or shall receive thereby, or by means thereof, in their passage upon the said rivers, regard being had as well to the burden or tonnage of such boats, barges and vessels that have, do and shall navigate on the said rivers, as to the charges and expences which have been, and shall be, laid out in building, repairing, enlarging, improving and supporting the said locks, weirs, bucks, winches, turnpikes, flood-gates and other engines; and also to make orders and regulations touching the sizes and draughts of all boats, barges and other vessels navigating the said rivers; and to settle proper gauges on the sides thereof, and how deep they shall load at all times, and in different seasons of the year, so as no boat, barge or other vessel whatsoever, navigating the said rivers, shall draw more than four feet on the sides, or draw more than four feet of water at any season of the year; and also to constitute and appoint all such other necessary rates, orders, constitutions, rules and regulations concerning the said navigation, and also concerning such locks, weirs, bucks, winches, turnpikes, dams, flood-gates and other engines and towing-paths, lying between the places aforesaid, and the shutting, penning, opening, drawing, use or management thereof, for the benefit and safety of the said navigation, and making satisfaction for the loss or damage which any owners or occupiers of mills or lands shall or may sustain thereby; and concerning all barges, boats or vessels passing by, through or with the help of the same; and behaviour of all barge-men, boatmen and watermen belonging to or working in such barges, boats or vessels, so as to remedy the abuses which have been frequently heretofore committed, or may hereafter be committed by them in the navigation; and to give such redress, satisfaction and damages to the person or persons aggrieved thereby; as likewise to the owners or occupiers of meadows, or other grounds, who shall be damaged by the neglect or refusal of the owners of such locks, weirs, bucks, winches, turnpikes and flood-gates, in not opening and keeping open the same, till the water is sunk beneath the water-mark, as to the said commissioners, or any seven or more of them, or the major part of them present at any such meeting, shall seem meet.

and to settle the prices payable by barges for the use of towing-paths, &c.

and to make orders for the sizes and draughts of barges, and for settling gauges on the sides, &c.

and other regulations concerning the navigation,

and behaviour of barge-men,

and satisfaction of persons aggrieved.

No alterations to be made in the towing-paths or landing places, without consent of proprietors.

III. Provided always, and be it enacted by the authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to empower the said commissioners to alter, change or remove any of the towing-paths, or landing-places now used as such, or to make or appoint any new or other towing-paths or landing-places, on the banks of the said rivers, without the mutual consent first had and obtained of both the owner or proprietor of the ground, over which the towing-path or landing-place proposed to be removed now is, and also of the owner or proprietor of the ground on which such towing-path or landing-place shall be intended to be removed to, or on which any such new towing-path or landing-place shall be intended to be made; any thing herein contained to the contrary notwithstanding.

Orders made at a general meeting, not to be altered at any general meeting not appointed by adjournment, &c.

Orders may be altered, upon application, at any stated meetings.

IV. Provided always, That no order, rule or regulation made by the said commissioners, in pursuance of the powers by this act vested in them, at any general meeting held upon and at the respective days and places in every year directed by this act as aforesaid, or at any adjournment thereof, shall be altered or repealed at any general meeting held by the said commissioners in pursuance of the notice hereby directed to be given, when it shall happen that no general meeting has been appointed to be held by adjournment: and that it shall and may be lawful to and for the said commissioners by this act constituted, upon any application to them made in that behalf, at either of the said general meetings, held at and upon the days and places prefixed by this act, for the respective holding the same in every year, or at any adjournment thereof, to alter, annul or repeal any order, rule or regulation made by the said commissioners at any former meeting or adjournment whatsoever, held in pursuance of this act, or make any new order, rule or regulation, touching and concerning the same, as the occasion and circumstances of the case may then require, and as to them shall seem expedient; and so as no such alteration, repeal or new order, be made or deemed good and sufficient, unless the party or parties applying for such alteration, repeal or new order, shall give twenty days notice in writing of his intended application, to every person or persons whom the same immediately concerns, or leave such notice with the servant or agent of any such person or persons.

20 days notice to be given of such application.

Commissioners may hold sub-meetings,

V. And be it further enacted by the authority aforesaid, That the said commissioners, or any three or more of them, shall and may have and hold a sub-meeting in every of the said counties, by or through which the said rivers run, once in every year, at such times, and in such towns or places respectively, at the Michaelmas quarter-fessions in every year, for every of the said counties respectively shall be held (and at such sub-meetings the said commissioners shall have power to adjourn themselves, from time to time as they shall think proper) for the enforcing the execution of all or any of the orders and constitutions, to be made at all or any of the general meetings of the said commissioners to be

be held as aforefaid; and at fuch fub-meetings the faid com-  
 miffioners, or any three or more of them, or the major part of  
 them prefent, fhall have power, and are hereby authorized, in  
 a fummery way, upon examination of the parties, and all wit-  
 nefles to be produced by them, upon oath, which fhall be in  
 the fame words as herein before directed for the examination of  
 any perfon or perfons as aforefaid, (which oath they are hereby  
 impowered to adminifter) to hear and determine all fuch com-  
 plaints and informations, as fhall be made or laid againft a<sup>m</sup> and  
 every perfon or perfons, accufed of offending againft, or not  
 complying with this act, or any of the rules, orders, regulations  
 or conftitutions, to be made in purfuance or by virtue thereof;  
 and upon conviction of the offender or offenders, to levy fuch  
 fines, penalties, forfeitures or damages as the faid commiffio-  
 ners are by this act impowered to fet, or are hereby made pay-  
 able or forfeited, for the offences whereof fuch offenders fhall  
 be refpectively convicted, by diftreff and fale of the offenders  
 goods and chattels, rendering the overplus to the offender or  
 offenders, by warrant or warrants, under the hands and feals of  
 the faid commiffioners, or any three or more of them, to be di-  
 rected to the conftables, tythingmen, or other peace officers of  
 the feveral liberties or places wherein, or near whereto, any goods  
 or chattels, by fuch warrant directed to be diftrained, fhall be;  
 and all fuch conftables, and other officers, are hereby command-  
 ed to obey and execute fuch warrants accordingly: provided,  
 That every perfon againft whom any complaint or information  
 fhall be made or laid at any or either of the faid fub-meetings,  
 fhall have at leaft fix days notice of fuch complaint or informa-  
 tion, under the hands of two or more of the faid commiffio-  
 ners.

and may hear  
 complaints in  
 a fummery  
 way,

and levy fines  
 by diftreff and  
 fale.

6 days notice  
 to be given to  
 the party com-  
 plained a-  
 gainft.

VI. Provided alfo, That it fhall and may be lawful for any  
 perfon, whole fine, penalty, forfeiture or damage adjudged a-  
 gainft him, at any or either of the faid fub-meetings, fhall ex-  
 ceed the fum of five pounds, and who fhall think himfelf ag-  
 grievd thereby, to appeal to the next general quarter feflions of  
 the peace, to be held after the expiration of ten days, from the  
 time that the party aggrieved fhall have notice of the adjudica-  
 tion of fuch fub-meeting of the commiffioners of the county,  
 wherein the matter of complaint fhall originally arife, but not  
 afterwards, upon giving fix days notice in writing, of fuch ap-  
 appeal to the party or parties appealed againft, or leaving fuch no-  
 tice at his or their laft place of abode; and the court of fuch  
 quarter-feflions fhall hear and determine fuch appeal, and give  
 fuch cofts, either party, as they fhall think reasonable, whole  
 determination therein fhall be final.

Persons ag-  
 grievd may  
 appeal to the  
 quarter-fef-  
 lions.

6 days notice  
 to be given.

VII. And be it further enacted by the authority aforefaid, That  
 the clerks of the peace for the faid feveral counties through  
 which the faid rivers run, fhall be, and are hereby, appointed  
 clerks to the faid commiffioners, and each of fuch clerks of the  
 peace, or his deputy, fhall, and are hereby required to attend,  
 and act as clerks to the faid commiffioners, at fuch of their

Clerks of the  
 peace appoint-  
 ed clerks to  
 the commiffi-  
 oners;

and to be paid  
out of the  
county stock.

meetings only, as shall be held in the county whereof he is clerk of the peace: and such clerks of the peace shall respectively be paid out of the several counties stock, of which county they are clerks of the peace, such sums for their attendance at such meetings respectively, as shall at such meetings, at which they shall so attend, be allowed them by any three or more of the said commissioners, by writing or certificate under their hands and seals, not exceeding the sum of twenty shillings a day; and the treasurers of the said counties respectively are hereby required to pay the same, the clerks of the peace producing such certificate as aforesaid.

3 commissio-  
ners impower-  
ed to view the  
locks,

VIII. *And whereas, for the more effectual putting of the powers herein contained in execution, it may be necessary to view the several locks, weirs, bucks, winches, turnpikes, dams, flood-gates, or other engines, and the several towing-paths upon or near the said rivers:* be it enacted by the authority aforesaid, That the said commissioners, or any three, or the major part of them, at such their general meetings or sub-meetings, may appoint any number of commissioners (but not a less number than three) as they should think fit, who are hereby authorized and impowered to go and view any locks, weirs, bucks, winches, turnpikes, dams, flood-gates and other engines, in, upon or near adjoining to the said rivers; and likewise to view all towing-paths, gates, bridges and places proper for the fixing a water-mark at all locks, weirs, bucks, winches, turnpikes, dams, flood-gates and other engines, and to inquire into the state, condition and circumstances thereof; and to inquire also by information upon oath (which shall be in the same words as the oath herein before directed for the examination of witnesses as aforesaid, which oath they are hereby impowered to administer) what rates or prices have formerly been paid to, or taken by, the owners or proprietors of such locks, weirs, bucks, winches, turnpikes, dams, flood-gates or other engines, in or upon, or near adjoining to the said rivers, or in any wise affecting the same, as likewise by the owners of towing-paths adjoining to the said rivers; and the several sums that are now paid to, or taken by such owners, proprietors or occupiers, from the several barge-masters navigating on the said rivers; which information or informations thus taken, shall be signed by two of the said commissioners at least, and shall be by them transmitted to, and reported at, the next general meeting of the said commissioners, who, or any seven of them, or the major part of them, shall make such order and determination thereupon, as shall to them seem just; six days notice in writing of such informations and intended order being first given to the person or persons whom the same may concern, or left at his, her or their last place of abode.

and to inquire  
into their  
state,

and the rates  
formerly paid.

and the sums  
now taken.

Information  
to be signed  
by 2 commissi-  
oners, and  
reported to  
the next gene-  
ral meeting,  
&c.

Commissio-  
ners to rate  
the prices of  
carriage,

IX. *And be it further enacted by the authority aforesaid,* That the said commissioners, or any seven or more of them, or the major part of them, shall have power and authority, and they are hereby enjoined and required, at their said general meetings, to assess and rate the prices of the carriage of all sorts of goods whatsoever, from the said city of London westward, to the said town of Cricklade, and back from thence to the said city of London, or to

or from thence respectively, to any other place or places upon the said rivers, or to or from any place or places upon the said rivers, to any other place or places upon the same, in such boats, barges or other vessels; and shall forthwith give publick notice in writing, to be signed by the said commissioners at such their meetings, or any seven or more of them, to be printed and published in the *London Gazette*; of which publick notice the several owners of boats, barges and other vessels, navigating on the said rivers, are hereby required to take notice, as also of the rates and prices so, from time to time, set and assessed, and of all other rates and prices, which shall at any time or times hereafter, at such respective meetings as aforesaid, be rated and assessed by virtue of this act: and if any owner or proprietor of any such barge, boat or other vessel, shall, at any time after the expiration of ten days next after the publishing of such notice, take for the water-carriage of any goods or merchandizes, above the rates and prices so set as aforesaid, every person or persons so offending shall forfeit the sum of five pounds, and shall lose the freight of such goods; and if any person or persons whatsoever shall break or act contrary to any other rules, orders or constitutions, which shall be made in pursuance of this act, either for the benefit of the proprietors or owners of mills, locks, lands or meadows, near or adjoining to the said rivers, or either of them, or otherwise howsoever; every such person so offending, shall, for every such offence, likewise forfeit the sum of five pounds, unless in the case of offences on which other penalties and forfeitures are herein otherwise inflicted; all which respective penalties and forfeitures shall and may be recovered in a summary way, by information or complaint made to the said commissioners at any or either of their sub-meetings to be held as aforesaid; and shall go and be applied, one moiety to the informer or informers, and the other moiety to the party or parties aggrieved by any such offence, and shall and may be levied by distress and sale in manner herein before directed.

and to publish the same in the *Gazette*.

Penalty of taking more than the rate,

or of acting contrary to any rules, &c.

Application of the forfeitures.

X. Provided also, and be it further enacted by the authority aforesaid, That no commissioner or commissioners shall sit in judgement in the execution of this act, or any of the powers herein contained, where he or they, on his or their own parts, are any wise interested or concerned.

No commissioner to act where he is interested.

XI. Provided nevertheless, and be it enacted by the authority aforesaid, That if any person or persons shall think himself or themselves aggrieved, by reason of any rules, orders, constitutions or assessments so as aforesaid to be made by the said commissioners or any seven of them, or the major part of them, at their said general meetings, it shall and may be lawful to and for the judge or judges of assize, at the assizes to be held for the county wherein the matter of complaint principally ariseth, or the judge or judges of *Nisi prius*, or sitting of *Nisi prius* at *Westminster*, when the cause of complaint shall arise in the county of *Middlesex*, upon complaint made by such person or persons aggrieved, within the space of eight months next after the making

Appeal from the commissioners to the judges of assize, &c.

of



of such rules, orders, constitutions or assessments, to confirm vacate or alter the same, in such manner as shall be thought most convenient.

Orders of commissioners to be in force till vacated except in cases affecting others property.

XII. Provided always, That the orders made by the said commissioners shall remain in full force till vacated, or altered, by such judge or judges: but if such orders, rules or constitutions shall affect the property or interest of any person or persons, in lands, tenements, or hereditaments, other than in locks, weirs, winches, turnpikes, dams, flood-gates, antient towing-paths and landing-places, then such orders, rules and constitutions shall not be in force, until the expiration of one month next after the making thereof, and after notice given in writing to the person or persons affected thereby, or left at his or their place of abode, in order that the person or persons so affected may have an opportunity of appealing against such orders, rules and constitutions, before the same are carried into execution; and every such person or persons who shall make such appeal, shall, within the space of one month, give notice in writing to the clerk of the commissioners making the rules, orders or constitutions intended to be appealed against; and shall also enter into a recognizance before some justice of the peace of the county wherein the matter doth lie, in the penalty of ten pounds at least, to prosecute the said appeal, according to the notice given thereof, as aforesaid; in which case the rules, orders or constitutions so appealed against, shall not be in force until such appeal be heard and determined, according to the directions of this act; and in case the judge or judges, who shall hear the said appeal, shall determine the same against the appellant, it shall be lawful for such judge or judges to give such costs to the party or parties against whom the said appeal is made, as to such judge or judges shall seem meet.

Judges may give costs.

Orders to be written on parchment, and printed;

and kept amongst the records of the sessions.

XIII. Provided also, and be it further enacted by the authority aforesaid, That all such rules, orders, constitutions and assessments as shall be made by the said commissioners, or any seven, or the major part of them, in pursuance of this act, shall be written on parchment, and signed by the said commissioners, or any seven, or the major part of them, and shall also be printed; and the original orders, so signed, shall be kept amongst the records of the sessions of the peace of the county, within which the same shall be made; and a true copy, signed by the clerk of the peace of the county where such original orders shall be filed, shall by him be transmitted to the several clerks of the peace of the counties of *Berks* and *Oxford*, when the said orders are made in other counties than those of *Berks* and *Oxon*: all which, or true copies thereof, signed by the clerk of the peace, who hath the custody thereof, shall be taken, adjudged, and deemed good and sufficient evidence and proof in any court of law or equity whatsoever, and other places of judicature; and the said rules, orders, constitutions and assessments, so signed by the said commissioners, or confirmed or altered on such appeal as aforesaid, shall continue in force from the making the same by

the

the said commissioners, or the confirmation or alteration thereof, by the said judge or judges of assize, or *Nisi Prius*, until some new order, rule, constitution or assessment, shall be made in the same case, by the said commissioners, or any seven, or the major part of them; and every such new order, rule, constitution or assessment, shall be subject to the like appeal as aforesaid.

XIV. And, for the further preventing the damages and mischiefs frequently done and committed by rude and disorderly persons, rowing, managing, haling or towing the said barges, boats, and vessels, either with men or horses, and that the owners of such barges, boats and vessels may be more careful to prevent the same; be it enacted by the authority aforesaid, That every barge-master, or the master of any boat or vessel, and owner of any barge, boat and vessel, shall be, and is hereby, made answerable and responsible for any damage or mischief that shall be done or committed by his or their barge, boat or vessel, or by the whole or any of the crew of his or their said barge, boat or vessel, or by persons ordinarily belonging to, and going with, such barge, boat, or vessel, either to the goods and commodities with which such barge, boat or vessel is laden, or by fishing with nets, or otherwise, or by shooting with guns, or taking or destroying any fish, fowl or game, or to any of the locks, lock-tables, weirs, bucks, winches, turnpikes, dams, flood-gates or other engines; or to any bridge or lands, trees, meadows or grounds, in and upon the said rivers, or bordering or near adjoining thereto, either with men or horses: and the said barge-masters, barge-owners, and the masters and owners of any boat or vessel, shall be, and are hereby made liable to make good all such damages to be committed as aforesaid; and shall and may be sued and prosecuted for the same, by action of trespass or otherwise; and if it appear that such trespass or damage was done by any of the persons ordinarily belonging to or employed in the barge or other craft, whereof such person or persons was or were master or masters, owner or owners, such master or masters, owner or owners, shall be found guilty, and the plaintiff or plaintiffs shall recover his or their damages thereby sustained, with costs, and interest, and their full costs of suit; any former law or usage to the contrary notwithstanding.

Barge-master  
responsible for  
damages done  
by his men.

XV. And whereas the bargemen, and other persons navigating the barges, boats and other vessels on the said rivers, have frequently embezzled and adulterated wines, cyder, beer and other liquors; and have often stole and bartered coals, malt, wheat and other goods committed to their care; and have been guilty of many other abuses, to the great damage of the proprietors of such goods, and the discredit of the said navigation; but it has been found very difficult to detect the offenders; be it therefore enacted by the authority aforesaid,

That if any bargeman, boatman, or other person or persons, being part of the crew of or belonging to any barge, boat or other vessel, navigating the said rivers, shall hereafter steal, sell, take, barter, consume, adulterate or embezzil any wine, cyder, beer

Penalty on  
bargemen  
stealing, &c.  
any goods on  
board.

or

Forfeiture to  
go to the in-  
former.

For want of  
distress of-  
fender to be  
committed,

and the in-  
former to be  
paid by the  
county trea-  
surers.

On complaint  
that the water  
runs over the  
marks, 2 com-  
missioners  
may compel  
the owners of  
locks to open  
the same.

3 commission-  
ers may order  
satisfaction for  
damages oc-  
casioned by  
overflowing.

or other liquor, coals, malt, wheat or other goods, which shall be part of the freight of such barge, boat or other vessel, and shall bethereof lawfully convicted before any one of his Majesty's justices of the peace for the county wherein, or adjoining to the place where, the offence shall be committed (who are hereby empowered to hear and determine such complaints in a summary way, and to convict the offenders, either upon their own confession, or upon the evidence of one credible witness upon oath, which oath such justices are hereby empowered to administer) such bargemen, boatmen, or other person or persons so offending, shall forfeit and pay the sum of forty shillings for every such offence, to any person or persons who will inform thereof, the same to be levied by distress and sale of the offender's goods, by warrant under the hand and seal of the justice before whom the complaint or information shall be made or laid: and in case such offender or offenders shall have no goods and chattels, whereby the penalty may be levied, or do not, upon demand, pay down the said forty shillings, then such justice shall and may send such offender or offenders to the house of correction, there to be kept to hard labour, for any time not exceeding the space of two months: and in such case the person or persons so informing, shall be allowed and paid the said sum of forty shillings, by the county treasurers of the two counties between which that part of the said river shall run, where the offence shall happen to be committed, in equal shares and proportions: and the treasurers of such counties are hereby required to pay the same, upon the informer or informers producing a certificate of the conviction of the said offender or offenders, under the hand of the justice before whom the information shall be laid: and that such offender or offenders had no goods and chattels, whereon the penalty could be levied as aforesaid.

XVI. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any two of the said commissioners upon the complaint of, and oath made by any of the tenants or occupiers of the meadows above, that the water runs over the water-mark, and that their meadows are in danger of being overflowed, to send, under their respective hands and seals, a warrant directed to the constable or constables of the parish or tything, or some neighbouring parish or tything to the place where the offence shall be committed, thereby authorizing and empowering him or them to give notice of such complaint to the several tenants or occupiers of the said locks, weirs, turnpikes, dams and floodgates; and on their refusal to open the same, to compel the said tenants or occupiers of the said locks, weirs, turnpikes, dams and flood-gates, to open, and keep open the same, as occasion shall require, till the water is sunk below the water-mark, and no longer: and if any damage shall be sustained by the tenants or occupiers of such meadows, occasioned either by the occupiers or tenants of such locks, weirs, turnpikes, dams and flood-gates, penning above the water-mark, so as aforesaid set by the said commissioners; or neglecting or refusing

refusing to draw, after such notice as aforesaid; any three or more of the said commissioners shall, at any of their sub-meetings to be held as aforesaid, within the space of fourteen days next ensuing, on proof made on oath as aforesaid, of the damage or damages, order such satisfaction as to them shall seem just: and if any or either of the tenants or occupiers of any locks, weirs, bucks, turnpikes, dams or flood-gates, shall refuse to pay such sum or sums of money so ordered, within thirty days after such order made, and notice thereof given, he or they so refusing shall forfeit the sum of five pounds, over and above the sum or sums so ordered, to be levied by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of any three or more of the said commissioners as aforesaid.

Penalty of not paying.

XVII. And whereas great inconveniencies and damages do often happen to light-loaded barges, boats and other vessels, by deep-loaded barges, boats and other vessels, lying across or aground in the said rivers; and thereby or otherwise obstructing and preventing the passage of such light-loaded vessels, which otherwise might pass: for remedy whereof, be it further enacted by the authority aforesaid, That it shall and may be lawful for any one or more of the said commissioners, on his or their view, or on complaint thereof made to him or them by the owners or navigators of such light-loaded barges, boats or other vessels, to order the owners or navigators of such deep-loaded barges, boats or other vessels, by warrant under his or their hands, forthwith to remove such obstructions, by lightening their said vessels, or otherwise, in such manner as the said commissioner or commissioners shall think fit; and to suffer the said light-loaded barges, boats or other vessels to pass; and upon non-compliance with such order, to assess and levy by warrant under such commissioner or commissioners hands and seals, to be directed to the constables, or other peace officers, of the parish or place wherein or near to the place where such complaint shall arise, such penalty not exceeding the sum of five pounds, upon the goods and chattels of the offender or offenders, or the tackle belonging to his or their barge or barges, as the said commissioner or commissioners shall think proper, or adequate to the damage to be thereby sustained by the owner or owners of such light-loaded vessel or vessels, and to be paid to the person next immediately sustaining the damage occasioned by his boat or vessel's being stopped.

Commissioners may make order concerning deep-loaded barges obstructing the navigation.

Penalty of non-compliance.

XVIII. And be it enacted by the authority aforesaid, That if it shall appear, either by view of any three or more of the said commissioners, or upon complaint made on oath, to be taken and administered as herein before directed, to any five or more of the said commissioners, at any of the said sub-meetings, that any owner or occupier of any lock, weir, turnpike, dam or flood-gate, or any other person or persons, hath removed any water-mark, so as aforesaid set or appointed by the said commissioners, that the person or persons so removing the same shall forfeit and pay the sum of five pounds, to be recovered at any

Penalty of removing water-marks.

any of the said sub-meetings, in a summary way, by any person or persons who will complain or inform thereof, and levied by distress and sale of the offender's goods and chattels, in manner aforesaid.

Commissioners may make order for cleaning the rivers:

XIX. *And whereas it may be necessary to cleanse, scour, clear and ballast the said rivers in many places;* be it enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any seven or more of them, at any of their general meetings, by any order under their hands and seals, to cause the said rivers, or such parts thereof as to them shall seem meet, to be cleansed, scoured, cleared and ballasted, and all obstructions and annoyances in and upon the said rivers to be removed; and to defray the charges and costs of such clearing, cleansing, scouring and ballasting; and removing all obstructions and annoyances aforesaid; as also to defray the incidental expences of printing and publishing the orders of the commissioners; and for the making a reasonable recompence to the several clerks of the peace, for transmitting duplicates of such orders as aforesaid; and for paying the salaries of such officers as the commissioners shall think fit to appoint, for the inspecting the execution of this act; it shall and may be lawful to and for the said commissioners, or any seven or more of them, at any of their general meetings, to impose and set a rate or rates, to be paid by the owner or owners of every boat, barge or vessel, passing the said place so cleared, cleansed, scoured and ballasted; and to appoint a receiver or receivers thereof until a sufficient sum be raised for defraying the expence thereof: and in case the owner or owners of such boat, barge or vessel shall neglect or refuse to pay the said rate or rates, so directed to be paid, that then it shall and may be lawful to and for the said commissioners, or any seven or more of them, by warrant under their hands and seals, directed to such receiver or receivers, to levy the monies so rated, or directed to be paid, upon the goods and chattels of the person or persons so refusing or neglecting to pay the same, and to dispose of and sell the goods and chattels so levied, and to deduct thereout the said rates so directed to be paid, together with the costs and charges of such warrant, distress and sale, rendering the overplus to the person or persons so refusing or neglecting to pay the said rate or rates as aforesaid.

and impose a rate on barges, &c.

and appoint receivers.

Owners of barges to affix their names and places of abode, &c. on their vessels.

XX. *Provided always, and be it enacted by the authority aforesaid, That the owners of all boats, barges and other vessels, of the burden of twenty tons, and upwards, navigating the said rivers, shall cause his, her or their name or names, and place of abode, together with the dimensions and tonnage of his, her or their boat, barge or vessel, to be set on some conspicuous place of their respective boats, barges or vessels: and every owner or owners neglecting so to do, or suffering his, her or their boat, barge or other vessel, to navigate in or upon the said rivers, or either of them, without their respective names, place of abode, dimension and tonnage thereon, shall forfeit and pay the sum of forty shillings for every such offence, to any person or persons who*

Penalty.

who will make information or complaint thereof to the said commissioners, at any or either of their sub-meetings, to be, as aforesaid, held, the same to be levied by distress and sale of the offenders goods as aforesaid, so as the offender or offenders be thereof first duly convicted by the said commissioners, at any of their sub-meetings as aforesaid.

XXI. And whereas for improving the navigation of the rivers Thames and Ius, it is found expedient to put such part of the river of Kennet, as is between the common landing-place at Reading aforesaid, and the mouth of the said river of Kennet, under the same regulation and management; be it therefore enacted by the authority aforesaid, That the commissioners appointed by this act shall be commissioners for carrying on and regulating the navigation of the aforesaid part of the said river Kennet, in like manner as they are hereby appointed commissioners concerning the navigation of the said rivers of Thames and Isis; and that all and singular the powers and authorities by this act given to, or vested in, the said commissioners, relating to the navigation of the said rivers of Thames and Isis, shall extend to, and the said commissioners are hereby authorized to exercise the same over the aforesaid part of the said river Kennet, and over all persons, boats, barges and vessels navigating the same, or any ways concerned therein, and the locks, weirs, turnpikes, dams, flood-gates and other engines thereon, and the adjacent lands, meadows, tenements and premises; and to make all such, or any of the orders and constitutions relating thereto, as are herein mentioned, and in like manner as the said commissioners are hereby authorized to do, of and concerning the navigation of the said rivers of Thames and Isis, and the matters and things relating thereto, or any persons interested or concerned therein.

Part of the river Kennet put under the same management.

XXII. Provided always, That nothing in this act contained shall extend, or be construed to extend, to take away any jurisdiction, power or authority of the mayor, commonalty and citizens of the city of London, or any other body politick or corporate, or other person or persons whatsoever.

Limitation.

XXIII. And be it further enacted by the authority aforesaid, That all the orders of the said commissioners shall be kept by the clerks of the peace aforesaid, among the records of the sessions of the peace in the respective counties where the same shall be made; and that such clerks of the peace, respectively, shall permit the same to be inspected by all persons desiring the same, at convenient times; and shall deliver copies thereof, or of any part thereof, to any person desiring the same, taking for the searches and copies thereof, reasonable fees, to be limited by the said commissioners from time to time, at their general meetings aforesaid.

Orders to be kept by the clerks of the peace among the records.

XXIV. And be it enacted and declared by the authority aforesaid, That this act shall be deemed a publick act, and shall be taken notice of as such, without specially pleading the same: and if any action shall be brought, or suit commenced, against any person or persons for any thing done in pursuance of this act,

Publick act.

General issue.

act, every such action or suit shall be brought or commenced in the county or place where the cause of action or suit doth arise, and not elsewhere, and within the space of six months next after such cause of action shall accrue; and the defendant or defendants, in such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon; and that the same was done in pursuance and by the authority of this act: and if the same shall appear to have been so done, or if any such action or suit shall be brought or commenced after the time before limited for bringing or commencing the same, or shall be brought or commenced in any other county or place, then, and in such case, the jury shall find for the defendant or defendants; and in such case, or if the plaintiff or plaintiffs shall become nonsuit, or suffer a discontinuance of his, her or their action or actions, or if any verdict shall pass against the plaintiff or plaintiffs, or if, upon demurrer, judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants, shall and may recover double costs, and shall have the like remedy for the same as any defendant or defendants hath or have for costs of suit in other cases by law.

Double costs.

Charges of this act how to be paid.

XXV. And be it enacted by the authority aforesaid, That the costs and charges of obtaining this act shall be paid by the treasurers of the several counties of *Middlesex, Surry, Bucks, Berks, Oxford, Gloucester* and *Wiltis*, through which the said rivers run, in equal shares, that is to say, by every treasurer of the said several counties, one seventh part, to *William Cooke* of *Great Farringdon* in the county of *Berks*, gentleman, his executors or administrators, upon his or their producing to such treasurers respectively the bill of costs and disbursements, on account of passing this act, signed by any five of the said commissioners, or their certificate, or allowance thereof: and the said treasurers of the said counties are hereby required to pay the same accordingly, on sight of such bill, certificate or allowance, so as aforesaid signed; and the receipts of the said *William Cooke*, his executors or administrators, shall be good and sufficient vouchers to such treasurers respectively, and allowed in their respective accounts for what they shall so as aforesaid respectively pay to the said *William Cooke*, his executors or administrators, in pursuance of this act.

6 & 7 W. 3.  
c. 16and 3 Geo. 2.  
c. 11. repealed.

XXVI. And be it further enacted by the authority aforesaid, That from and after the end of this present session of parliament, the said act made in the sixth and seventh years of his late majesty King *William the Third*, intituled, *An act to prevent exactions of the occupiers of locks and weirs upon the river of Thames westward, and for ascertaining the rates of water-carriage upon the said river*: and also the said other act, made in the third year of the reign of his present Majesty, intituled, *An act for reviving and amending an act made in the sixth and seventh years of the reign of his late majesty King William the Third, intituled, An act to prevent exactions of the occupiers of locks and weirs upon*

on

on the river of *Thames* weſtward; and for aſcertaining the rates of water-carriage upon the ſaid river; ſhall be, and the ſame are hereby repealed.

CAP. IX.

An act for repairing the road leading from Weſt-Lavington to the Devizes, and from the Devizes to S. end in the county of Wilts.

*Certain tolls granted for 21 years.*

CAP. X.

An act for enlarging the term and powers granted by two acts of parliament, for repairing the highways through the ſeveral pariſhes of Saint Michael, Saint Alban, Saint Peter, Shenley-Ridge and South Wims, in the counties of Hertford and Middleſex.

*The acts 1 Geo. 1. and 8 Geo. 2. c. 9 continued for 21 years.*

CAP. XI.

*An act for reducing the intereſt upon the capital ſtock of the South Sea company, from the time and upon the terms therein mentioned; and for preventing of frauds committed by the officers and ſervants of the ſaid company.*

Moſt gracious Sovereign,

WHEREAS the corporation of the governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fiſhery, have propoſed to accept of four pounds per centum per annum on their capital ſtock, to Chriſtmas, one thouſand ſeven hundred and fifty ſeven, and then to ſtand reduced to three pounds per centum per annum, provided the receipt from the exchequer, and charges of management, upon the preſent old and new South Sea annuities, be continued as they now ſtand; and alſo the charges of management on the capital ſtock of the ſaid company be continued; and that all the rights and exemptions, with regard to the redemption of the ſame, be confirmed in the ſame manner as they now ſtand: and your Maſteſty's dutiful and loyal ſubjects the commons of Great Britain in parliament aſſembled, having duly conſidered the ſaid propoſal, have reſolved to accept thereof, in full diſcharge of all demands which the ſaid company could or might claim of the King of Spain, on account of the aſſiento, or annual ſhip, or on any account whatſoever, over and above the ſum of one hundred thouſand pounds paid purſuant to treaty: and do therefore moſt humbly beſeech your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That the ſaid governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fiſhery, ſhall have, receive and enjoy, and ſhall be intitled, by virtue of this act, to have, receive and enjoy the preſent annuity of four pounds per centum per annum, payable on their ſaid capital ſtock, until the twenty fifth day of December one thouſand ſeven hundred and fifty ſeven; and that from and after the ſaid twenty fifth day of

South Sea  
company to  
receive 4 l.  
per cent. on  
their capital,  
till 25 De-  
cember 1757;



which is then  
to be reduced  
to 3l. per cent.

*December* one thousand seven hundred and fifty seven, the said annuity of four pounds *per centum per annum* shall be reduced to an interest after the rate of three pounds *per centum per annum*, until the redemption thereof, in full discharge of all demands which the said company could or might claim of the King of Spain, on account of the assiento, or annual ship, or on any account whatsoever, over and above the sum of one hundred thousand pounds paid pursuant to treaty.

Charges of  
management  
upon their old  
and new an-  
nuities, to be  
continued, &c.

II. Provided always, and it is hereby further enacted by the authority aforesaid, That the said governor and company shall continue to receive from the receipt of his Majesty's exchequer, so much monies out of the funds appropriated for that purpose, as shall, from time to time, become due and payable for the interest of, and charges of management upon such part of the said old and new *South Sea* annuities, as are not redeemed, and on the capital stock of the said company, as they now have and receive; and that all the rights and exemptions, with regard to the redemption of the said capital stock of the said company, shall be, and are hereby, confirmed in the same manner as they now stand; any thing in this or any former act or acts of parliament contained to the contrary thereof in any wise notwithstanding.

Officer or ser-  
vant of the  
company em-  
bezzling, &c.  
any effects of  
the company  
intrusted with  
him,

III. And be it further enacted by the authority aforesaid, That if any officer or servant of the said company, being intrusted with any note, bill, dividend-warrant, bond, deed, or any security, money or other effects belonging to the said company, or having any bill, dividend-warrant, bond, deed, or any security, money or effects of any other person or persons, lodged or deposited with the said company, or with him as an officer or servant of the said company, shall secrete, embezzel or run away with, any such note, bill, dividend-warrant, bond, deed, security, money or effects, or any part of them, every officer or servant so offending, and being thereof convicted in due form of law, shall be deemed guilty of felony, and shall suffer death as a felon without benefit of clergy.

to suffer death  
as a felon.

#### CAP. XII.

*An act for appointing commissioners to put in execution an act made in the twenty second year of the reign of King Charles the Second, for making navigable the rivers commonly called Brandon and Waveney; so far as the same relates to the navigation of the river commonly called the 'Lesser Ouze, from Thetford to Brandon, and from Brandon to a place called the White House, near Brandon ferry, in the counties of Norfolk and Suffolk.*

22 Car. 2.  
private.

**W**HIEREAS by an act of parliament passed in the twenty second year of the reign of King Charles the Second, for making navigable the rivers commonly called Brandon and Waveney, divers persons therein named were constituted commissioners for determining all controversies which might arise in making the said rivers navigable, in

*in maintaining the navigation thereof, in ſettling the rates of carriage of goods on the ſaid rivers, and for aſcertaining the damages done to the banks of the ſaid rivers by hauling and drawing of veſſels navigated thereon; and power was given to the commiſſioners appointed by the ſaid act, or any five of them, to chooſe other perſons, reſiding in the counties of Norfolk and Suffolk, to be commiſſioners, inſtead of ſuch commiſſioners as ſhould from time to time die: and whereas at the commiſſioners appointed to put into execution ſo much of the ſaid act as relates to the navigation of the ſaid river commonly called the Leſſer Ouze, from Thetford to Brandon, and from Brandon to a place called the White Houſe, near Brandon ferry, have been long ſince dead; and that no new commiſſioners were appointed in their ſtead and place, purſuant to the power veſted in them by the ſaid act: and whereas ſome diſputes have of late years ariſen betwixt the owners of lands and banks adjoining to the ſaid river commonly called the Leſſer Ouze, from Thetford to Brandon, and from Brandon to a place called the White Houſe, near Brandon ferry, relating to the hauling-ways there, and other matters relating to the ſaid navigation, which cannot be adjusted and ſettled by any other means than by expenſive and tedious law ſuits, unleſs ſome further proviſion be made by parliament for appointing new commiſſioners, and inveſting them with the like powers and authorities as were granted to the commiſſioners appointed by the ſaid former act relating to the ſaid navigation; may it therefore pleaſe your Maſteſty that it may be enacted, &c.*

Commiſſioners appointed to put the act of 22 Car. 2. in execution, ſo far as relates to the navigation of the Leſſer Ouze.

## CAP. XIII.

An act for repairing the road from Croſford Bridge, through the townſhips of Stretton and Hulme, to the town of Manchester, in the county palatine of Lancaſter. *Certain tolls granted for 21 years.*

## CAP. XIV.

*An act for explaining and amending an act paſſed in the twenty-fiſt year of the reign of his preſent Maſteſty, intituled, An act for the relief of the annuitants of the wardens and commonalty of the myſtery of Mercers of the city of London, and for other purpoſes therein mentioned.*

**W**HEREAS by an act of parliament made and paſſed in the twenty-fiſt year of the reign of his preſent Maſteſty, intituled, An act for the relief of the annuitants of the wardens and commonalty of the myſtery of Mercers of the city of London, after reciting that by indentures of leaſe and releaſe, bearing date reſpectively the third and fourth days of October one thouſand ſix hundred and ninety-nin., and inrolled in the high court of Chancery, the wardens and commonalty of the myſtery of Mercers of the city of London, did grant and releaſe divers meſſuages and tenements, ſoſts, gardens, ground and hereditaments, of and belonging to the ſaid wardens and commonalty, ſituate and being in the city of London, and in the county of Middleſex, therein particularly mentioned and deſcribed;

together with one full moiety of all that great fabrick and place called the Royal Exchange, London, and other tenements in, under, upon or near the ſame, therein particularly mentioned and deſcribed; and alſo all that the manor of Mercers, with the rights, members and appurtenances thereof, lying and being in the county of Londonderry in Ireland, and divers other lands, tenements and hereditaments in Ireland, in the ſame indentures more particularly mentioned and deſcribed unto Sir William Hedges, and ſeveral other perſons, as truſtees, their heirs and aſſigns, upon truſt, amongſt other things, to pay and ſatisfy ſeveral charitable gifts; and alſo ſuch annuities to be granted by the ſaid wardens and commonalty, during the lives of the wives of clergymen, or of other perſons, ſurviving their husbands, in ſuch manner as in the ſaid act is mentioned; and alſo reciting that by indentures of leaſe and releaſe, bearing date the firſt and ſecond days of June one thouſand ſeven hundred and forty-one, Richard Chifwell the elder, Sir Thomas Webſter, David Papillon and Clement Tookie, therein named, being then the only ſurviving truſtees in certain indentures of leaſe and releaſe, bearing date the firſt and ſecond days of June one thouſand ſeven hundred and ſeventeen, in the ſaid act mentioned and referred to, did, by the direction and appointment of the ſaid wardens and commonalty, grant and convey the ſaid ſeveral truſt eſtates to the uſe of themſelves, and other truſtees therein named, their heirs and aſſigns, upon certain truſts, and for divers purpoſes mentioned in the ſaid act, or in certain deeds therein referred to; and alſo reciting that the truſtees, in whom the legal intereſt of the ſaid eſtates comprized in the ſaid indentures of the third and fourth of October one thouſand ſix hundred and ninety-nine, and the ſaid indentures of the firſt and ſecond of June one thouſand ſeven hundred and forty-one, was then veſted, might reſuſe to act; and that it might be for the benefit of the ſaid annuitants, that building and repairing leaſes ſhould be lett of the ſeveral eſtates that are within the city of London and county of Middleſex, and alſo that ſuch of the ſaid eſtates as are in the kingdom of Ireland, ſhould be lett for a term of years, or for lives and a term of years; it was enacted, That it ſhould and might be lawful to and for the ſaid wardens and commonalty, and their ſucceſſors, from time to time, by any deed or deeds indented under the common ſeal of the ſaid wardens and commonalty, to demise and leaſe all or any part of the ſaid eſtates (except as therein after is excepted) for any term or number of years not exceeding twenty-one years abſolute, in poſſeſſion, and not in reversion, reſerving the moſt improved rent that could be had for the ſame, without taking any fine or other thing, by way of income, for granting any leaſe or leaſes thereof, and ſo as no ſub leaſe or leaſes ſhould be made diſpuniſhable of waſte, and ſo as the reſpective leſſees ſhould ſeal and execute counterparts of ſuch leaſe or leaſes reſpectively; in which ſaid act is contained a proviſo, that it ſhould and might be lawful to and for the ſaid wardens and commonalty, and their ſucceſſors, to demise and leaſe the manor of Mercers, part of the ſaid eſtates in the kingdom of Ireland, with the rights, members and appurtenances, or any part or part thereof, for any term or number of years not exceeding ſixty-one years in poſſeſſion, or for ſixty one years in poſſeſſion, and for the lives of any

any three persons, and the life of the longer liver of them; and that they should and might take such fine or fines, or other consideration, for the granting such lease or leases, and reserve such yearly or other rent or rents thereon, as could be reasonably obtained, so as the reserved rent upon any such lease be not less than the rent then reserved to the said wardens and commonalty; and also that it should and might be lawful to and for the said wardens and commonalty to demise and lease to several messuages and tenements, part of the said estates, situated, lying, standing and being, in or near Long Acre in the county of Middlesex; and all other the messuages or tenements belonging to the said estates, which they should deem necessary to lett upon building or repairing leases, according to the common or usual method of letting such leases; videlicet, the building leases for any term or number of years not exceeding sixty-one years, and the repairing leases for any term or number of years not exceeding forty-one years, to commence from the date or dates of any such leases; and should and might take such fine or fines, or other consideration, and such yearly and other rent or rents, for granting such lease or leases, as they should think fit; in which building lease or leases, power should be given to the respective lessies, or their agents, to pull down and demolish the old buildings, and to dispose of the materials, as they should respectively think fit; and also a proviso, that no lease or leases of any part of the said estates (except the estates in Ireland and Long Acre) should be granted till within the space of three years next before the expiration of such lease or leases as were then in being: and whereas the trustees named and appointed by the said deeds of the first and second days of June one thousand seven hundred and forty-one, decline acting in the said trust: and whereas the powers given to the said wardens and commonalty by the said recited act, are not sufficient to enable the said wardens and commonalty to grant such lease or leases of their estate in Ireland, as was meant and intended by the said act, they should have power to grant, inasmuch as by the said act, the leases they are thereby enabled to grant, are to be for any term or number of years not exceeding sixty-one years in possession, or for sixty-one years in possession and for the lives of any three persons, and the life of the longer liver of them: and whereas the said Irish estate is now lett on lease or leases which are not yet expired: and the power given by the said act to grant leases for sixty-one years, being restrained and limited to be for sixty-one years in possession; and the power of granting leases for three lives, being a power to grant a freehold, the same cannot by the rules of law, be granted to commence in futuro; so that the said wardens and commonalty, as the act now stands, cannot legally grant any lease of the said Irish estate, either for sixty-one years, or for three lives and sixty-one years, until the lease or leases thereof now in being are expired or surrendered, without the aid of an act of parliament for explaining and amending the said recited act, with respect to the power of granting leases of the said estate: and whereas it will be greatly for the advantage of the annuitants of the said wardens and commonalty, that the said wardens and commonalty should be now enabled, and have power, to grant leases of their said Irish estate, to commence at the expiration of the leases thereof now subsisting, reserv-

*ing the preſent rent, and taking the beſt fine that can be got for the ſame according to the true intent and meaning of the ſaid recited act; may it therefore pleaſe your moſt excellent Majeſty, at the humble requeſt of your loyal and dutiful ſubjects, the wardens and commonalty of the myſtery of Mercers of the city of London, that it may be enacted, &c.*

Mercers company may grant leaſes of their eſtate in Ireland, in reverſion for 61 years, or for three lives, and take fines, &c. They may grant building leaſes for 61 years, &c. and repairing leaſes for 41 years, of their eſtate in Long Acre, and take fines; and may leaſe their other eſtates in London and Middleſex, for 21 years; and grant building leaſes for 61 years, and repairing leaſes for 41 years, without fines. Leaſes of the eſtates in London and Middleſex not to be granted until within 3 years of the expiration of the preſent leaſes. No leaſe to be valid, unleſs conſented to by the annuitants and creditors, &c. Deeds and ſettlements not altered by this act. Rights of the crown and of other perſons reſerved. Publick act. Amended 25 Geo. 2. c. 7.

## CAP. XV.

An act to enable the pariſhioners of the pariſh of Saint Mary, Iſlington, in the county of Middleſex, to rebuild the church of the ſaid pariſh.

## CAP. XVI.

An act for the more ſpeedy and eaſy recovery of ſmall debts within the city of Lincoln, and county of the ſame city, and the liberties and preſcinſts thereof: and within the bail of Lincoln in the county of Lincoln.

## CAP. XVII.

An act for repairing the road leading from the eaſt end of Brumpton High Lane in the county of York, to the town of Richmond, and from thence to and through the towns of Askrigg and Ingleton in the ſaid county, to the town of Lancaſter in the county of Lancaſter.

*Certain tolls granted for 21 years.*

## CAP. XVIII.

*An act for the better regulation of trials by jury; and for enlarging the time for trials by Niſi Prius in the county of Middleſex.*

3 Geo. 2. c. 25. **W**HEREAS by an act made in the third year of the reign of his preſent Majeſty, intituled, An act for the better regulation of juries; it is amongſt other things enacted, That the perſon or party who ſhall apply for a ſpecial jury to be ſtruck in the manner therein mentioned, ſhall bear and pay the fees for the ſtriking ſuch jury, and ſhall not have any allowance for the ſame upon taxation of coſts: and whereas the ſaid clause doth extend only to the fees paid for ſtriking ſuch ſpecial jury; by reaſon whereof ſpecial juries have frequently been applied for in ſmall and trivial cauſes, in order to burden the other party with the expence thereof; which practice has been found to be very inconvenient and oppreſſive: and whereas one other act was made in the ſixth year of the reign of his preſent Majeſty, intituled, An act for making perpetual the ſeveral acts therein mentioned, for the better regulation of juries; and for impowering the juſtices of ſeſſion or aſſizes for the counties palatine of Cheſter, Lancaſter and Durham, to appoint a ſpecial jury in manner therein

6 G. 2. c. 37.

herein mentioned; and for continuing the act for regulating the manufacture of cloth in the west riding of the county of York (except a clause therein contained) and for continuing an act for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and for other purposes therein mentioned, and to prevent the cutting or breaking down the bank of any river, or any sea bank; and to prevent the malicious cutting of hop-binds; and for continuing an act made in the thirteenth and fourteenth years of the reign of King Charles the Second, for preventing theft and rapine upon the northern borders of England; and for reviving and continuing certain clauses in two other acts made for the same purpose; *whereby it is amongst other things enacted, That the said act for the better regulation of juries, should be, and was thereby made perpetual; and it was thereby also enacted, That the justices of the session or assizes for the counties palatine of Chester, Lancaster and Durham, should and might, upon motion, order and appoint a jury to be struck before the proper officer of each court respectively, for the trial of any issue in any of the cases, and in such manner as are therein mentioned; for remedy thereof be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the first day of Easter term, which shall be in the year of our Lord one thousand seven hundred and fifty-one, the person or party who shall by virtue of either of the said acts apply for such special jury, shall not only bear and pay the fees for striking such jury, but shall also pay and discharge all the expences occasioned by the trial of the cause by such special jury, and shall not have any further or other allowance for the same, upon taxation of costs, than such person or party would be intitled unto in case the cause had been tried by a common jury, unless the judge before whom the cause is tried shall immediately after the trial, certify in open court under his hand upon the back of the record, that the same was a cause proper to be tried by a special jury.*

Persons applying for special juries, to pay the expences of striking the same, and the charges occasioned by the trial, &c.

II. *And whereas complaints are frequently made of the great and extravagant fees paid to jurymen returned under the authority of the said revived acts; be it enacted by the authority aforesaid, That no person who shall, after the said first day of Easter term, serve upon any jury appointed or returned by authority of any of the said acts, shall be allowed or take for serving on any such jury more than the sum of money which the judge who tries the issue or issues shall think just and reasonable, not exceeding the sum of one pound one shilling, except in causes wherein a view hath been or shall be directed.*

Fees allowed to jurymen.

III. *And whereas by an act passed in the fourth year of the reign of her late majesty Queen Anne, (intituled, An act for the amendment of the law, and the better advancement of justice) it is enacted, That from and after the first day of Trinity term one thousand seven hundred and six, every Venire facias for the trial of any*

4 Annæ c. 16.

*Venire facias* for the trial of an iſſue upon a penal ſtatute, to be awarded of the body of the county where the iſſue is triable.

*iſſue, in any action or ſuit in any of her Maſteſty's courts of record at Weſtminſter, ſhall be awarded of the body of the proper county where ſuch iſſue is triable; but in the ſaid act there is contained a proviſo, that the ſame ſhall not extend to any action or information upon any penal ſtatute, which proviſo has, by experience, been found inconvenient, by reaſon of challenges to the arrays of panels of jurors, and to the polls for default of hundredors; therefore, for prevention thereof for the future, be it enacted, That from and after the ſaid firſt day of Eaſter term, every Venire facias for the trial of any iſſue, in any action or information upon any penal ſtatute, in any of his Maſteſty's courts of record at Weſtminſter, in the counties palatine of Lancaſter, Cheſter and Durham, and the principality of Wales, ſhall be awarded of the body of the proper county where ſuch iſſue is triable; any thing in the ſaid act to the contrary notwithstanding.*

No challenge to be taken to any panel of jurors for want of a knight's being returned, &c.

IV. *And whereas great delays do frequently happen in trials, where a peer or lord of parliament is party, by reaſon of challenges to the arrays of panels of jurors, for want of a knight's being returned on ſuch panels; for remedy thereof for the future, be it enacted by the authority aforeſaid, That from and after the ſaid firſt day of Eaſter term, no challenge ſhall be taken to any panel of jurors, for want of a knight's being returned in ſuch panel, nor any array quaſhed by reaſon of any ſuch challenge taken after that time; any law, uſage or cuſtom to the contrary notwithstanding.*

V. *And whereas by an act of parliament made in the twelfth year of the reign of King George the Firſt, intituled, An act for the better regulating trials by Niſi Prius in the county of Middleſex; power and authority is given to the chief juſtice of the King's Bench, the chief juſtice of the Common Pleas, and the chief baron of the court of Exchequer, for the time being, and every of them reſpectively, and in the abſence of any of them, to and for any other judge or baron of the ſaid ſeveral courts, as juſtices of Niſi Prius for the ſaid county of Middleſex, within the term, or within the ſpace of eight days after the end of any term reſpectively, to try all ſuch iſſues as by an act of parliament made in the eighteenth year of the reign of Queen Eliza-*

18 Eliz. c. 12.

Juſtices of Niſi Prius for the county of Middleſex may, within 14 days after the end of term, try iſſues.

*beth, (intituled, An act for trial of Niſi Prius in the county of Middleſex) they, or any of them, are enabled to try, in ſuch place and manner, and with and under ſuch powers, authorities and proviſions, as in the ſaid laſt-mentioned act, or any other act of parliament, or law whatſoever concerning the premiſſes, are preſcribed and contained: and whereas the reſtraining the time for ſuch trials after the term, to eight days, hath been found inconvenient, and occaſioned a delay of juſtice; be it therefore enacted by the authority aforeſaid, That from and after the firſt day of Eaſter term in the year of our Lord one thouſand ſeven hundred and fifty-one, it ſhall and may be lawful to and for the chief juſtice of the King's Bench, the chief juſtice of the Common Pleas, and the chief baron of the court of Exchequer, for the time being, and every of them reſpectively, and in the abſence of any of them, to and for any other judge or baron of the ſaid ſeveral courts, as juſtices of Niſi Prius for the ſaid county of Middleſex, at any time or times*

times within the ſpace of fourteen days after the end of any term reſpectively, to try all ſuch iſſues as by the before-mentioned acts they or any of them are enabled to try, in ſuch place and manner, and under ſuch powers, authorities and provisions as in and by the aforeſaid acts, or any other act of parliament or law whatſoever concerning the premiſſes, are preſcribed and contained; any thing in the before-mentioned acts to the contrary hereof in any wiſe notwithstanding.

## C A P. XIX.

*An act for making the river Nar navigable, from the town and port of King's Lynn to Weſtacre, in the county of Norfolk.*

**W**HEREAS the river Nar in the county of Norfolk, is very capable of being made navigable, from the town and port of King's Lynn to Weſtacre in the ſaid county; and the ſame, if effected, will be of great benefit and advantage, not only to the ſaid town of King's Lynn, but to all the towns and places ſituate near the ſaid river, and be a general benefit to all the adjacent country, by better accommodating the ſame with neceſſaries, and by opening and facilitating trade and commerce, whereby navigation and the number of watermen will be increaſed, the poor find employment, and the high-ways thereabouts, now worn by the weight of heavy and frequent carriages, will be better ſupported and maintained; to the end therefore that the ſaid river Nar may be made navigable for boats, barges and other veſſels, from the ſaid town and port of King's Lynn to Weſtacre aforeſaid; be it enacted, &c.

Commiſſioners may contract with perſons to make the river navigable. Undertakers may remove annoyances, &c. and erect locks above Setch Bridge, &c. and ſet out towing-paths. Satisfaction to be made to the owners of grounds. Seven commiſſioners may receive propoſals; nine to be preſent at making the contracts. Notice of meeting for that purpoſe to be given. If the adjourned meetings be not held as often as neceſſary, five commiſſioners may ſummon a meeting. Nine commiſſioners may agree with the owners of ſuch lands as ſhall be made uſe of, and ſettle the proportion payable thereout to the tenant. If any perſons ſhall reſuſe, or be incapable of making ſuch agreement, a jury to be impanelled, who may view the lands, and aſſeſs the recompence. Verdict to be kept amongſt the records of the ſeſſions. Commiſſioners may ſummon witneſſes, and impoſe fines on the ſheriff and others making default in the premiſſes, to be levied by diſtreſs and ſale. Tolls to be paid for goods carried up or down the river, which are veſted in the commiſſioners, and may be levied by diſtreſs and ſale. No toll to be paid for goods carried not more than a furlong above Setch Bridge. Commiſſioners may appoint collectors and treaſurers of the tolls, and other officers, and admit an oath of office to them, &c. Salaries to be allowed to the officers. Watermen to give an account of the quantity and quality of goods on board; &c. Penalty on his reſuſal, &c. Commiſſioners to ſet up gates, &c. where towing paths ſhall be ſet out. If the river ſhall be raiſed above its uſual height by weirs or dams, the banks are to be proportionably raiſed. If new cuts, &c. be made, &c. which render the ways impaſſable, bridges are to be built over them. Commiſſioners may make orders concerning the navigation of the river. No haling with hortes allowed between King's Lynn and Sandringham Eau. Penalty on commiſſioner acting where he is intereſted. Commiſſioners may make by-laws, &c. with penalties,



penalties. Persons aggrieved by any by-law may appeal to the quarter-fessions. Royalties of the river reserved to the lords, &c. No toll for pleasure-boats. Commiffion of sewers not abridged by this act. Boat-maſter answerable for damages done by his boat or crew. Juſtice to inquire into, and order the recompence. Penalty of obſtructing the paſſage of other veſſels, or of the opening or ſhutting the locks, &c. Penalty on watermen carrying a gun or net to fowl or fiſh with. Application of the forfeiture, &c. Perſons aggrieved by the order of any juſtice, may appeal to the ſeſſions. Order of the juſtices not removeable by *Certiorari*. No order of the commiſſioners to be quaiſhed for want of form. Commiſſioners may borrow money on the tolls.

## CAP. XX.

An act for repairing and widening the road from Preſton to Lancaſter, and from thence to a place called Heiring Syke, that divides the counties of Lancaſter and Weſtmoreland. *Certain tolls granted for 21 years.*

## CAP. XXI.

An act for enlarging the term and powers granted by an act paſſed in the third year of the reign of his preſent Maſteſty, *For repairing and amending the ſeveral roads leading from Woodſtock through Kiddington and Enſlow to Rollright Lane, and from Enſlow Bridge to Kidlington aforeſaid, in the county of Oxford; and for making the ſaid act more effectual. The act 3 Geo. 2. c. 21 continued for 21 years, &c.*

## CAP. XXII.

An act for explaining and amending ſo much of an act paſſed in the fourteenth year of the reign of his preſent Maſteſty for the repairing and enlarging the roads from the town of Selby in the weſt riding of the county of York, to the town of Leeds; and from thence, in two ſeveral branches, one through Bradford and Horton, and the other through Bowling and Wibſey, to the town of Halifax in the ſame riding, as relates to that part of the ſaid roads which lies between Selby and Leeds; and alſo for repairing the road from Tadcaſter in the ſaid weſt riding, over Bramham Moor through Kidhall Lane, over Win Moor, and through Seacroft to a place called Halton Dyal, where it comes into the aboveſaid road, between Selby and Leeds. *The act 14 Geo. 2. c. 32. continued for 21 years, and amended.*

## CAP. XXIII.

*An act for regulating the commencement of the year, and for correſting the calendar now in uſe.*

Amended by  
25 Geo. 2. c. 30.

**W**HEREAS the legal ſupputation of the year of our Lord in that part of Great Britain called England, according to which the year beginneth on the twenty-fifth day of March, hath been found by experience to be attended with divers inconveniencies, not only as it differs from the uſage of neighbouring nations, but alſo from the legal method of computation in that part of Great Britain, called Scotland, and from the common uſage throughout the whole kingdom, and thereby frequent miſtakes are occaſioned in the dates of deeds, and other writings, and diſputes ariſe therefrom: and whereas the calendar now in uſe throughout all his Maſteſty's Britiſh dominions, commonly called The Julian Calendar, hath been diſcovered to be erroneous, by means whereof the vernal or ſpring equinox, which at the time of the general council of Nice in the year of our Lord three hundred and twenty-five, happened on or about the twenty-fiſt day of March, now happens on the ninth or tenth day of the ſame month; and

and the said error is still increafing, and if not remedied, would, in procefs of time, occafion the feveral equinoxes and folftices to fall at very different times in the civil year from what they formerly did, which might tend to miflead perfons ignorant of the faid alteration: and whereas a method of correcting the calendar in fuch manner, as that the equinoxes and folftices may for the future fall nearly on the fame nominal days, on which the fame happened at the time of the faid general council, hath been received and eftablifhed, and is now generally practifed by almoft all other nations of Europe: and whereas it will be of general convenience to merchants, and other perfons correfponding with other nations and countries, and tend to prevent miftakes and difputes in or concerning the dates of letters, and accounts, if the like correction be received and eftablifhed in his Majefty's dominions: may it therefore please your Majefty that it may be enacted, and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal and commons in this prefent parliament affembled, and by the authority of the fame, That in and throughout all his Majefty's dominions and countries in *Europe, Asia, Africa* and *America*, belonging or fubject to the crown of Great Britain, the faid fupputation, according to which the year of our Lord beginneth on the twenty-fifth day of *March*, fhall not be made ufe of from and after the laft day of *December* one thoufand feven hundred and fifty-one; and that the firft day of *January* next following the faid laft day of *December* fhall be reckoned, taken, deemed and accounted to be the firft day of the year of our Lord one thoufand feven hundred and fifty-two; and the firft day of *January*, which fhall happen next after the faid firft day of *January* one thoufand feven hundred and fifty-two, fhall be reckoned, taken, deemed and accounted to be the firft day of the year of our Lord one thoufand feven hundred and fifty-three; and fo on, from time to time, the firft day of *January* in every year, which fhall happen in time to come, fhall be reckoned, taken, deemed and accounted to be the firft day of the year, and that each new year fhall accordingly commence, and begin to be reckoned, from the firft day of every fuch month of *January* next preceding the twenty-fifth day of *March*, on which fuch year would, according to the prefent fupputation, have begun or commenced: and that from and after the faid firft day of *January* one thoufand feven hundred and fifty-two, the feveral days of each month fhall go on, and be reckoned and numbered in the fame order; and the feaft of *Eafter*, and other moveable feafts thereon depending, fhall be afcertained according to the fame method, as they now are, until the fecond day of *September* in the faid year one thoufand feven hundred and fifty-two inclusive; and that the natural day next immediately following the faid fecond day of *September*, fhall be called, reckoned and accounted to be the fourteenth day of *September*, omitting for that time only the eleven intermediate nominal days of the common calendar; and that the feveral natural days, which fhall follow and fucceed next after the faid fourteenth day

The old fupputation of the year, not to be made ufe of after Dec. 1751.

Year to commence, for the future, on 1 Jan.

The days to be numbered as now until 2 Sept. 1752; and the day following to be accounted 14 Sept. omitting 11 days.

Hilary and Michaelmas terms, and all courts, to be held on the ſame nominal days.

Courts held with fairs or marts excepted.

Hundredth years, except every fourth hundred, to be common years of 365 days.

Years biſſextile of 366 days.

day of *September*, ſhall be reſpectively called, reckoned and numbered forwards in numerical order from the ſaid fourteenth day of *September*, according to the order and ſucceſſion of days now uſed in the preſent calendar, and that all acts, deeds, writings, notes and other inſtruments of what nature or kind ſoever, whether eccleſiaſtical or civil, publick or private, which ſhall be made, executed or ſigned, upon or after the ſaid firſt day of *January*, one thouſand ſeven hundred and fifty-two, ſhall bear date according to the ſaid new method of ſupputation, and that the two fixed terms of ſaint *Hilary* and ſaint *Michael*, in that part of *Great Britain* called *England*, and the courts of great ſeſſions in the counties palatine, and in *Wales*, and alſo the courts of general quarter-ſeſſions and general ſeſſions of the peace, and all other courts of what nature or kind ſoever, whether civil, criminal or eccleſiaſtical, and all meetings and aſſemblies of any bodies politick or corporate, either for the election of any officers or members thereof, or for any ſuch officers entering upon the execution of their reſpective offices, or for any other purpoſe whatſoever, which by any law, ſtatute, charter, cuſtom or uſage within this kingdom, or within any other the dominions or countries ſubject or belonging to the crown of *Great Britain*, are to be holden and kept on any fixed or certain day of any month, or on any day depending upon the beginning, or any certain day of any month (except ſuch courts as are uſually holden or kept with any fairs or marts) ſhall, from time to time, from and after the ſaid ſecond day of *September*, be holden and kept upon or according to the ſame reſpective nominal days and times, whereon or according to which the ſame are now to be holden, but which ſhall be computed according to the ſaid new method of numbering and reckoning the days of the calendar as aforeſaid; that is to ſay, eleven days ſooner than the reſpective days whereon the ſame are now holden and kept; any law, ſtatute, charter, cuſtom or uſage, to the contrary thereof in any wiſe notwithstanding.

II. And for the continuing and preſerving the calendar or method of reckoning, and computing the days of the year in the ſame regular courſe, as near as may be, in all times coming; be it further enacted by the authority aforeſaid, That the ſeveral years of our Lord, one thouſand eight hundred, one thouſand nine hundred, two thouſand one hundred, two thouſand two hundred, two thouſand three hundred, or any other hundredth years of our Lord, which ſhall happen in time to come, except only every fourth hundredth year of our Lord, whereof the year of our Lord two thouſand ſhall be the firſt, ſhall not be eſteemed or taken to be biſſextile or leap years, but ſhall be taken to be common years, conſiſting of three hundred and ſixty-five days, and no more; and that the years of our Lord, two thouſand, two thouſand four hundred, two thouſand eight hundred, and every other fourth hundred year of our Lord, from the ſaid year of our Lord two thouſand incluſive, and alſo all other years of our Lord, which by the preſent ſupputation are eſteemed to be biſſextile

bissextile or leap years, shall for the future, and in all times to come, be esteemed and taken to be bissextile or leap years, consisting of three hundred and sixty-six days, in the same sort and manner as is now used with respect to every fourth year of our Lord.

III. *And whereas according to the rule prefixed to the book of common prayer of the church of England, Easter day is always the first Sunday after the first full moon which happens next after the one and twentieth day of March, and if the full moon happens upon a Sunday, Easter-day is the Sunday after; which rule was made in conformity to the decree of the said general council of Nice, for the celebration of the said feast of Easter: and whereas the method of computing the full moons now used in the church of England, and according to which the table to find Easter for ever, prefixed to the said book of common prayer, is by process of time become considerably erroneous: and whereas a calendar, and also certain tables and rules for the fixing the true time of the celebration of the said feast of Easter, and the finding the times of the full moons on which the same dependeth, so as the same shall agree as nearly as may be with the decree of the said general council, and also with the practice of foreign countries, have been prepared, and are hereunto annexed; be it therefore further enacted by the authority aforesaid, That the said feast of Easter, or any of the moveable feasts thereon depending, shall, from and after the said second day of September, be no longer kept or observed in that part of Great Britain called England, or in any other the dominions or countries subject or belonging to the crown of Great Britain, according to the said method of supputation now used, or the said table prefixed to the said book of common prayer; and that the said table, and also the column of golden numbers, as they are now prefixed to the respective days of the month in the said calendar, shall be left out in all future editions of the said book of common prayer; and that the said new calendar, tables and rules, hereunto annexed, shall be prefixed to all such future editions of the said book, in the room and stead thereof; and that from and after the said second day of September, all and every the fixed feast days, holy-days and fast-days, which are now kept and observed by the church of England, and also the several solemn days of thanksgiving, and of fasting and humiliation, which by virtue of any act of parliament now in being, are, from time to time, to be kept and observed, shall be kept and observed on the respective days marked for the celebration of the same in the said new calendar; that is to say, on the same respective nominal days on which the same are now kept and observed; but which according to the alteration by this act intended to be made as aforesaid, will happen eleven days sooner than the same now do; and that the said feast of Easter, and all other moveable feasts thereon depending, shall, from time to time, be observed and celebrated according to the said new calendar, tables and rules hereunto annexed, in that part of Great Britain called England, and in all the dominions and countries aforesaid, wherein the liturgy of the*

Easter and the other moveable feasts, to be observed according to the new calendar, tables and rules.

Fasts and fasts &c. to be according to the new calendar.

the church of *England* now is, or hereafter shall be used, and that the two moveable terms of *Easter* and *Trinity*, and all courts of what nature or kind soever, and all meetings and assemblies of any bodies politick or corporate, and all markets, fairs and marts, and courts thereunto belonging, which by any law, statute, charter, custom or usage are appointed, used or accustomed to be holden and kept at any moveable time or times depending upon the time of *Easter*, or any other such moveable feast as aforesaid, shall, from time to time, from and after the said second day of *September*, be holden and kept on such days and times whereon the same shall respectively happen or fall, according to the happening or falling of the said feast of *Easter*, or such other moveable feasts as aforesaid, to be computed according to the said new calendar, tables and rules.

Courts of session and exchequer in Scotland, and markets, fairs and marts to be held upon the same natural days.

IV. And be it further enacted by the authority aforesaid, That the several meetings of the court of session, and terms fixed for the court of *Exchequer* in *Scotland*, the *April* meeting of the governor, bailiffs and commonalty of the company of conservators of the great level of the fens, and the holding and keeping of all markets, fairs and marts, whether for the sale of goods or cattle, or for the hiring of servants, or for any other purpose, which are either fixed to certain nominal days of the month, or depending upon the beginning, or any certain day of any month, and all courts incident or belonging to, or usually holden or kept with any such fairs or marts, fixed to such certain times as aforesaid, shall not, from and after the said second day of *September*, be continued upon, or according to the nominal days of the month, or the time of the beginning of any month, to be computed according to the said new calendar, but that from and after the said second day of *September*, the said courts of session and exchequer, the said *April* meeting, and all such markets, fairs and marts as aforesaid, and all courts incident or belonging thereto, shall be holden and kept upon, or according to the same natural days, upon or according to which the same should have been so kept or holden, in case this act had not been made; that is to say, eleven days later than the same would have happened, according to the nominal days of the said new supputation of time, by which the commencement of each month, and the nominal days thereof, are anticipated or brought forward, by the space of eleven days; any thing in this act contained to the contrary thereof in any wise notwithstanding.

V. And whereas, according to divers customs, prescriptions and usages, in certain places within this kingdom, certain lands and grounds are, on particular nominal days and times in the year, to be opened for common of pasture, and other purposes; and at other times, the owners and occupiers of such lands and grounds have a right to inclose or shut up the same, for their own private use; and there is, in many other instances, a temporary and distinct property and right vested in different persons, in and to many such lands and grounds, according to certain nominal days and times in the year: and whereas the anticipating or bringing forward the said nominal days and times, by the space



determination of any apprenticeship, or other service, by virtue of any indenture, or of any articles under seal, or by reason of any simple contract or hiring whatsoever; but that all and every such rent and rents, annuity and annuities, sum and sums of money, and the interest thereof, shall remain and continue to be due and payable; and the delivery of such goods and chattels, wares and merchandize, shall be made; and the said leases and demises of all such lands, tenements and hereditaments, and the said contracts and agreements, shall be deemed to commence, expire and determine; and the said lands, tenements and hereditaments shall be accepted, surrendered and delivered up; and the said rents and annuities, and grants for any term of years, shall commence, cease and determine, at and upon the same respective natural days and times, as the same should and ought to have been payable or made, or would have happened, in case this act had not been made; and that no further or other sum shall be paid or payable for the interest of any sum of money whatsoever, than such interest shall amount unto, for the true number of natural days for which the principal sum bearing such interest shall continue due and unpaid; and that no person or persons whatsoever shall be deemed or taken to have attained the said age of one and twenty years, or any other such age as aforesaid, or to have completed the time of any such service as aforesaid, until the full number of years and days shall be elapsed on which such person or persons respectively would have attained such age, or would have completed the time of such service as aforesaid, in case this act had not been made; any thing herein before contained to the contrary thereof in any wise notwithstanding.

*The New Calendar, Tables and Rules, mentioned and referred  
to in the Act for regulating the Commencement of the Year;  
and for correcting the Calendar now in Use.*

## The Calendar, with the Table of Lessons.

JANUARY hath xxxi Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	A	Calendæ	<i>Circumcision.</i>				
2	b	4 Non.		Genesis 1	Matth. 1	Genesis 2	Rom. — 1
3	c	3 Non.		3	2	4	2
4	d	Pr. Non.		5	3	6	3
5	e	Nonæ		7	4	8	4
6	f	8 Id.	<i>Epiphany.</i>				
7	g	7 Id.		9	5	12	5
8	A	6 Id.	Lucian P. & M.	13	6	14	6
9	b	5 Id.		15	7	16	7
10	c	4 Id.		17	8	18	8
11	d	3 Id.		19	9	20	9
12	e	Pr. Id.		21	10	22	10
13	f	Idus.	Hilary, B. & C.	23	11	24	11
14	g	19 C. F <sup>b</sup>		25	12	26	12
15	A	18 Cal.		27	13	28	13
16	b	17 Cal.		29	14	30	14
17	c	16 Cal.		31	15	32	15
18	d	15 Cal.	Prisca, V. & M.	33	16	34	16
19	e	14 Cal.		35	17	37	1 Cor. — 1
20	f	13 Cal.	Fabian B. & M.	38	18	39	2
21	g	12 Cal.	Agnes V. & M.	4	19	41	3
22	A	11 Cal.	Vincent, M.	42	20	43	4
23	b	10 Cal.		44	21	45	5
24	c	9 Cal.		46	22	47	6
25	d	8 Cal.	<i>Conversion of</i>				
26	e	7 Cal.	— (S. Paul.)	48	23	49	7
27	f	6 Cal.		50	24	Exodus 1	8
28	g	5 Cal.		Exodus 2	25	3	9
29	A	4 Cal.		4	26	5	10
30	b	3 Cal.	K. Charles Mar	† 6	27	7	11
31	c	Pr. Cal.		8	28	9	12

\* Note, that \* Exodus 6, is to be read only to ver. 14.



# The Calendar, with the Table of Leſſons.

FEBRUARY hath xxviii Days;  
And in every Leap-year xxix Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	d	Calendæ	_____ Faſt.	Exod. 10	Mark - 1	Exod. 11	1 Cor. 13
2	e	4 Non.	<i>Purif. of V. Mary</i>	_____	_____	2	_____ 14
3	f	3 Non.	<i>Blafius, B. &amp; M.</i>	_____ 12	_____	3	_____ 15
4	g	Pr. Non.	_____	_____ 14	_____	4	_____ 16
5	A	Nonæ	<i>Agatha, V. &amp; M.</i>	_____ 16	_____	5	_____ 17 2 Cor. - 1
6	b	8 Id.	_____	_____ 18	_____	6	_____ 19 2
7	c	7 Id.	_____	_____ 20	_____	7	_____ 21 3
8	d	6 Id.	_____	_____ 22	_____	8	_____ 23 4
9	e	5 Id.	_____	_____ 24	_____	9	_____ 32 5
10	f	4 Id.	_____	_____ 33	_____ 10	_____	_____ 34 6
11	g	3 Id.	_____	Lev. - 18	_____ 11	Lev. - 19	_____ 7
12	A	Pr. Id.	_____	_____ 20	_____ 12	_____ 26	_____ 8
13	b	Idus.	_____	Num. 11	_____ 13	Num. 12	_____ 9
14	c	16 C. Mr.	<i>Valentine, B.</i>	_____ 3	_____ 14	_____ 14	_____ 10
15	d	15 Cal.	_____	_____ 16	_____ 15	_____ 17	_____ 11
16	e	14 Cal.	_____	_____ 20	_____ 16	_____ 21	_____ 12
17	f	13 Cal.	_____	_____ 22	<i>Lu. 1. to 39</i>	_____ 23	_____ 13
18	g	12 Cal.	_____	_____ 24	<i>1. ver. 39</i>	_____ 25	Gal. - 1
19	A	11 Cal.	_____	_____ 27	_____ 2	_____ 30	_____ 2
20	b	10 Cal.	_____	_____ 31	_____ 3	_____ 32	_____ 3
21	c	9 Cal.	_____	_____ 35	_____ 4	_____ 36	_____ 4
22	d	8 Cal.	_____	Deut. - 1	_____ 5	Deut. - 2	_____ 5
23	e	7 Cal.	_____ Faſt.	_____ 3	_____ 6	_____ 4	_____ 6
24	f	6 Cal.	<i>S. Matthias.</i>	_____	_____ 7	_____	Ephes. - 1
25	g	5 Cal.	_____	_____ 5	_____ 8	_____ 6	_____ 2
26	A	4 Cal.	_____	_____ 7	_____ 9	_____ 8	_____ 3
27	b	3 Cal.	_____	_____ 9	_____ 10	_____ 10	_____ 4
28	c	Pr. Cal.	_____	_____ 11	_____ 11	_____ 12	_____ 5
29			_____	_____ 13	Matth. 7	_____ 14	Rom. 12

MARCH

## The Calendar, with the Table of Lessons.

MARCH hath xxxi Days.

				MORNING PRAYER.		EVENING PRAYER.		
				1 Lesson	2 Lesson	1 Lesson	2 Lesson	
1	d	Calendæ	David, A.Bp.	Deut. 15	Luke-12	Deut. 16	Ephes. 6	
2	e	6 Non.	Chad, Bp. —	17	13	18	Philip. 1	
3	f	5 Non.		19	14	20	2	
4	g	4 Non.		21	15	22	3	
5	A	3 Non.		24	16	25	4	
6	b	Pr. Non.		26	17	27	Coloff. 1	
7	c	Nonæ	Perpetua, M. —	28	18	29	2	
8	d	8 Id.		30	19	31	3	
9	e	7 Id.		32	20	33	4	
10	f	6 Id.		34	21	Joshua 1	1 Thes. 1	
11	g	5 Id.		Joshua 2	22	3	2	
12	A	4 Id.	Gregory M.B.	4	23	5	3	
13	b	3 Id.		6	24	7	4	
14	c	Pr. Id.		8	John — 1	9	5	
15	d	Idus.		10	2	23	2 Thes. 1	
16	e	17 C. Ap.		24	3	Judges 1	2	
17	f	16 Cal.		Judges 2	4	3	3	
18	g	15 Cal.	Ed. K. W. Sax.	4	5	5	1 Tim. 1	
19	A	14 Cal.		6	6	7	2, 3	
20	b	13 Cal.		8	7	9	4	
14	21	c	12 Cal.	Benedict, Abb.	10	8	11	5
3	22	d	11 Cal.		12	9	13	6
23	e	10 Cal.		14	10	15	2 Tim. 1	
11	24	f	9 Cal.	Fast.	16	11	17	2
25	g	8 Cal.	Annunciation of		12		3	
19	26	A	7 Cal.	— (V. Mary.	18	13	19	4
8	27	b	6 Cal.		20	14	21	Titus — 1
28	c	5 Cal.		Ruth — 1	15	Ruth — 2	3, 2, 3	
16	29	d	4 Cal.		3	16	4	Philem.
5	30	e	3 Cal.	1 Sam. 1	17	1 Sam. 2	Hebr. — 1	
31	f	Pr. Cal.		3	18	4	2	

The Numbers here prefixed to the several Days, between the Twenty first Day of March, and the Eighteenth Day of April, both inclusive; denote the Days upon which these Full Moons do fall, which happen upon or next after the Twenty-first Day of March, in the Years, at which they are respectively the Golden Numbers; and the Sunday-Letter next following any such Full Moon

## The Calendar, with the Table of Lessons.

APRIL hath xxx Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
13	1	g	Calendæ	1 Sam. 5	John—19	1 Sam. 6	Hebr.—3
2	2	A	4 Non.	7	20	8	4
	3	b	3 Non.	9	21	10	5
10	4	c	Pr. Non.	11	Acts—1	12	6
	5	d	Nonæ	13	2	14	7
18	6	e	8 Id.	15	3	16	8
7	7	f	7 Id.	17	4	18	9
	8	g	6 Id.	19	5	20	10
15	9	A	5 Id.	21	6	22	11
4	10	b	4 Id.	23	7	24	12
	11	c	3 Id.	25	8	26	13
12	12	d	Pr. Id.	27	9	28	James—1
1	13	e	Idus.	29	10	30	2
	14	f	18 C. M <sup>ai</sup>	31	11	2 Sam. 1	3
9	15	g	17 Cal.	2 Sam. 2	12	3	4
	16	A	16 Cal.	4	13	5	5
17	17	b	15 Cal.	6	14	7	1 Peter 1
6	18	c	14 Cal.	8	15	9	2
	19	d	13 Cal.	10	16	11	3
	20	e	12 Cal.	12	17	13	4
	21	f	11 Cal.	14	18	15	5
	22	g	10 Cal.	16	19	17	2 Peter 1
	23	A	9 Cal.	18	20	19	2
	24	b	8 Cal.	20	21	21	3
	25	c	7 Cal.		22		1 John 1
	26	d	6 Cal.	22	23	23	2
	27	e	5 Cal.	24	24	1 Kings 1	3
	28	f	4 Cal.	1 Kings 2	25	3	4
	29	g	3 Cal.	4	26	5	5
	30	A	Pr. Cal.	6	27	7	2, 3 John

Moon, points out *Father-day* for that Year. All which holds until the Year of our Lord 1809 inclusive: after which Year, the Places of these Golden Numbers will be to be changed, as is here after expressed.

## The Calendar, with the Table of Leſſons.

MAY hath xxxi Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Leſſon	2 Leſſon	1 Leſſon	2 Leſſon
1	b	Calendar	<i>S. Philip &amp; James</i>				Jude —
2	c	6 Non.		1 Kings 8	Acts — 28	1 Kings 9	Rom. — 1
3	d	5 Non.	Inv. of the Croſs.	— 10	Matth. 1	— 11	— 2
4	e	4 Non.		— 12	— 2	— 13	— 3
5	f	3 Non.		— 14	— 3	— 15	— 4
6	g	Pr. Non.	John Port. Lat.	— 16	— 4	— 17	— 5
7	A	Nonæ		— 18	— 5	— 19	— 6
8	b	8 Id.		— 20	— 6	— 21	— 7
9	c	7 Id.		— 22	— 7	2 Kings 1	— 8
10	d	6 Id.		2 Kings 2	— 8	— 9	— 9
11	e	5 Id.		— 4	— 9	— 10	— 10
12	f	4 Id.		— 6	— 10	— 7	— 11
13	g	3 Id.		— 8	— 11	— 9	— 12
14	A	Pr. Id.		— 10	— 12	— 11	— 13
15	b	Idus.		— 12	— 13	— 13	— 14
16	c	17 C. Jun		— 14	— 14	— 15	— 15
17	d	16 Cal.		— 16	— 15	— 17	— 16
18	e	15 Cal.		— 18	— 16	— 19	1 Cor. — 1
19	f	14 Cal.	Dunſtan, A. B.	— 20	— 17	— 21	— 2
20	g	13 Cal.		— 22	— 18	— 23	— 3
21	A	12 Cal.		— 24	— 19	— 25	— 4
22	b	11 Cal.		Ezra — 1	— 20	Ezra — 3	— 5
23	c	10 Cal.		— 4	— 21	— 5	— 6
24	d	9 Cal.		— 6	— 22	— 7	— 7
25	e	8 Cal.		— 9	— 23	Neh. — 1	— 8
26	f	7 Cal.	Auguſtin, A. B.	Neh. — 2	— 24	— 4	— 9
27	g	6 Cal.	Ven. Bede, Pr.	— 5	— 25	— 6	— 10
28	A	5 Cal.		— 8	— 26	— 9	— 11
29	b	4 Cal.	K. Charles I. N.	— 10	— 27	— 11	— 12
30	c	3 Cal.	(& R.	Eſther — 1	— 28	Eſther — 2	— 13
31	d	Pr. Cal.		— 3	Mark — 1	— 4	— 14

## The Calendar, with the Table of Lessons.

JUNE hath xxx Days.

				MORNING PRAYER.	EVENING PRAYER.		
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	e	Calendar	Nicomede, M.	1 Lesson Esther—5	2 Lesson Mark—2	1 Lesson Esther—6	2 Lesson 1 Cor. 15
2	f	4 Non.		7	3	8	16
3	g	3 Non.		9	4	Job—	12 Cor.—1
4	A	Pr. Non.		Job—2	5	3	2
5	b	Nonæ	Boniface, B.M.	4	6	5	3
6	c	8 Id.		6	7	7	4
7	d	7 Id.		8	8	9	5
8	e	6 Id.		10	9	11	6
9	f	5 Id.		12	10	13	7
10	g	4 Id.		14	11	15	8
11	A	3 Id.	S. Barnabas, Ap.				
12	b	Pr. Id.		16	12	17, 18	9
13	c	Idus.		19	13	20	10
14	d	18 C. Jul		21	14	22	11
15	e	17 Cal.		23	15	24, 25	12
16	f	16 Cal.		26, 27	16	28	13
17	g	15 Cal.	S. Alban, M.	29	Luke—1	30	Gal.—1
18	A	14 Cal.		31	2	32	2
19	b	13 Cal.		33	3	34	3
20	c	12 Cal.	Tr. of K. Edw.	35	4	36	4
21	d	11 Cal.		37	5	38	5
22	e	10 Cal.		39	6	40	6
23	f	9 Cal.	— Fast.	41	7	42	Ephef.—1
24	g	8 Cal.	S. John Baptif.				
25	A	7 Cal.		Prov.—1	8	Prov.—2	2
26	b	6 Cal.		3	9	4	3
27	c	5 Cal.		5	10	6	4
28	d	4 Cal.	— Fast	7	11	8	5
29	e	3 Cal.	S. Peter, Apost				
30	f	Pr. Cal.		9	12	10	6

JULY

## The Calendar, with the Table of Leſſons.

JULY hath xxxi Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Leſſon	2 Leſſon	1 Leſſon	2 Leſſon
1	g	Calendæ		Prov. 11	Luke 13	Prov. 12	Philip. 1
2	A	6 Non.	Viſitat. of V.M.	13	14	14	2
3	b	5 Non.		15	15	16	3
4	c	4 Non.	Tr. of Mart. B.	17	16	18	4
5	d	3 Non.		19	17	20	Coloſſ. 1
6	e	Pr. Non.		21	18	22	2
7	f	Nonæ		23	19	24	3
8	g	8 Id.		25	20	26	4
9	A	7 Id.		27	21	28	1 Theſ. 1
10	b	6 Id.		29	22	31	2
11	c	5 Id.		Eccleſ. 1	23	Eccleſ. 2	3
12	d	4 Id.		3	24	4	4
13	e	3 Id.		5	John —	6	5
14	f	Pr. Id.		7	2	8	2 Theſ. 1
15	g	Idus.	Swichun, B. Tr	9	3	10	2
16	A	17 C. A <sup>up</sup>		11	4	12	3
17	b	16 Cal.		Jer. —	5	Jer. —	2 1 Tim. 1
18	c	15 Cal.		3	6	4	2, 3
19	d	14 Cal.		5	7	6	4
20	e	13 Cal.	Marg. V. & M.	7	8	8	5
21	f	12 Cal.		9	9	10	6
22	g	11 Cal.	S. Mary Magd.	11	10	12	2 Tim. 1
23	A	10 Cal.		13	11	14	2
24	b	9 Cal.	— Faſt.	15	12	16	3
25	c	8 Cal.	S. James, Apoſt.	—	13	—	4
26	d	7 Cal.	S. Anne.	17	14	18	Titus —
27	e	6 Cal.		19	15	20	2, 3
28	f	5 Cal.		21	16	22	Philem.
29	g	4 Cal.		23	17	24	Hebr. —
30	A	3 Cal.		25	18	26	2
31	b	Pr. Cal.		27	19	28	3

## The Calendar, with the Table of Leſſons.

AUGUST hath xxxi Days.

				MORNING PRAYER.	EVENING PRAYER.
				1 Leſſon	2 Leſſon
1	c	Calendæ	Lammas-day.	Jer.—29	John—20
2	d	4 Non.		31	21
3	e	3 Non.		33	Acts—1
4	f	Pr. Non.		35	2
5	g	Nonæ		37	3
6	A	8 Id.	Transfiguration	39	4
7	b	7 Id.	Name of Jeſus.	41	5
8	c	6 Id.		43	6
9	d	5 Id.		45, 46	7
10	e	4 Id.	S. Laurence, M.	48	8
11	f	3 Id.		50	9
12	g	Pr. Id.		52	10
13	A	Idus.		Lam.—2	11
14	b	19 C. S <sup>pt</sup>		4	12
15	c	18 Cal.		Ezek.—2	13
16	d	17 Cal.		6	14
17	e	16 Cal.		13	15
18	f	15 Cal.		18	16
19	g	14 Cal.		34	17
20	A	13 Cal.		Daniel—2	18
21	b	12 Cal.		4	19
22	c	11 Cal.		6	20
23	d	10 Cal.	— Faſt.	8	21
24	e	9 Cal.	S. Bartholomæw		22
25	f	8 Cal.		10	23
26	g	7 Cal.		12	24
27	A	6 Cal.		Hof. 2, 3	25
28	b	5 Cal.	S. Auguſtin, B.	5, 6	26
29	c	4 Cal.	S. John behead	8	27
30	d	3 Cal.	— (cd.)	10	28
31	e	Pr. Cal.		12	Matth. 1
					13

## The Calendar, with the Table of Leſſons.

SEPTEMBER hath xxx Days.

			MORNING PRAYER.		EVENING PRAYER.		
			1 Lesson	2 Lesson	1 Lesson	2 Lesson	
1	f	Calendæ	Giles, Abb. & C.	1 Lesson Hosea 14	2 Lesson Matth. 2	1 Lesson Joel — 1	2 Lesson Rom. 2
2	g	4 Non.		Joel — 2	3	3	3
3	A	3 Non.		Amos — 1	4	Amos — 2	4
4	b	Pr. Non.		3	5	4	5
5	c	Nonæ		5	6	6	6
6	d	8 Id.		7	7	8	7
7	e	7 Id.	Enurchus, B.	9	8	Obadiah	8
8	f	6 Id.	Nat. of V. Mary	Jonah — 1	9	Jon. 2, 3	9
9	g	5 Id.		4	10	Micah 1	10
10	A	4 Id.		Micah 2	11	3	11
11	b	3 Id.		4	12	5	12
12	c	Pr. Id.		6	13	7	13
13	d	Idus.		Nahum 1	14	Nahum 2	14
14	e	18 C Oct.	Holy Croſs Day	3	15	Hab. — 1	15
15	f	17 Cal.		Hab. — 2	16	3	16
16	g	16 Cal.		Zeph. — 1	17	Zeph. — 2	1 Cor. 1
17	A	15 Cal.	Lambert, B.M.	3	18	Haggai 1	2
18	b	14 Cal.		Haggai 2	19	Zech. 1	3
19	c	13 Cal.		Zec. 2, 3	20	4, 5	4
20	d	12 Cal.	Faſt.	6	21	7	5
21	e	11 Cal.	S. Matthew, Ap.	22	7	6	
22	f	10 Cal.		8	23	9	7
23	g	9 Cal.		10	24	11	8
24	A	8 Cal.		12	25	13	9
25	b	7 Cal.		14	26	Malachi 1	10
26	c	6 Cal.	S. Cyprian, M.	Malachi 2	27	3	11
27	d	5 Cal.		4	28	Tobit 1	12
28	e	4 Cal.		Tobit 2	Mark 1	3	13
29	f	3 Cal.	S. Michael.	2	2	14	
30	g	Pr. Cal.	S. Jerom, C.D.	4	3	6	15

OCTOBER



# The Calendar, with the Table of Lessons.

## OCTOBER hath xxxi Days.

			MORNING PRAYER.	EVENING PRAYER.			
			1 Lesson	2 Lesson	1 Lesson	2 Lesson	
1	A	Calendæ	Remigius, Bp.	1 Lesson Tob. - 7	2 Lesson Mark - 4	1 Lesson Tob. - 8	2 Lesson 1 Cor. 16
2	b	6 Non.		9	5	10	2 Cor. - 1
3	c	5 Non.		11	6	12	2
4	d	4 Non.		13	7	14	3
5	e	3 Non.		Judith 1	8	Judith 2	4
6	f	Pr. Non.	Faith, V. & M.	3	9	4	5
7	g	Nonæ		5	10	6	6
8	A	8 Id.		7	11	8	7
9	b	7 Id.	S. Denys, B. M.	9	12	10	8
10	c	6 Id.		11	13	12	9
11	d	5 Id.		13	14	14	10
12	e	4 Id.		15	15	16	11
13	f	3 Id.	Tr. of K. Edw.	Wifd. 1	16	Wifd. 2	12
14	g	Pr. Id.		3	17	4	13
15	A	Idus.		5	1. ver. 39	6	Gal. - 1
16	b	17 C. Nov		7	2	8	2
17	c	16 Cal.	Etheldreda, V.	9	3	10	3
18	d	15 Cal.	S. Luke, Evang		4		4
19	e	14 Cal.		11	5	12	5
20	f	13 Cal.		13	6	14	6
21	g	12 Cal.		15	7	16	Ephes. 1
22	A	11 Cal.		17	8	18	2
23	b	10 Cal.		19	9	Eccl <sup>us</sup>	1
24	c	9 Cal.		Eccl <sup>us</sup> 2	10	3	4
25	d	8 Cal.	Crispin, Mart.	4	11	5	5
26	e	7 Cal.		6	12	7	6
27	f	6 Cal.	Fast.	8	13	9	Philip. 1
28	g	5 Cal.	S. Simon & Jude.		14		2
29	A	4 Cal.		10	15	11	3
30	b	3 Cal.		12	16	13	4
31	c	Pr. Cal.	Fast.	14	17	15	Coloff. 1

## The Calendar, with the Table of Lessons.

NOVEMBER hath xxx Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	d	Calendæ	<i>All Saints Day.</i>				
2	e	4 Non.		Eccl <sup>us</sup> 16	Luke—18	Eccl <sup>us</sup> 17	Coloff. 2
3	f	3 Non.		—18	—19	—19	—3
4	g	Pr. Non.		—20	—20	—21	—4
5	A	Nonæ	<i>Papists Conspir.</i>	—22	—21	—23	1 Thes. 1
6	b	8 Id.	Leonard, C. —	—24	—22	* 25	—2
7	c	7 Id.		—27	—23	—28	—3
8	d	6 Id.		—29	—24	† 30	—4
9	e	5 Id.		—31	John —1	—32	—5
10	f	4 Id.		—33	—2	—34	2 Thes. 1
11	g	3 Id.	S. Martin, B. —	—35	—3	—36	—2
12	A	Pr. Id.		—37	—4	—38	—3
13	b	Idus.	Britius, B. —	—39	—5	—40	1 Tim. 1
14	c	8 C. Dec		—41	—6	—42	—2, 3
15	d	17 Cal.	Machutus, B. —	—43	—7	—44	—4
16	e	16 Cal.		—45	—8	—46	—5
17	f	15 Cal.	Hugh, B. Linc. —	—47	—9	—48	—6
18	g	14 Cal.		—49	—10	—50	2 Tim. 1
19	A	13 Cal.		—51	—11	Baruch 1	—2
20	b	12 Cal.	Edm. K. & M. —	Baruch 2	—12	—3	—3
21	c	11 Cal.		—4	—13	—5	—4
22	d	10 Cal.	Cecilia, V. & M. —	—6	—14	Hift. Su. Titus —1	—
23	e	9 Cal.	S. Clement, B. —	Bel & D. —15	—15	Isaiah —1	—2, 3
24	f	8 Cal.		Isaiah —2	—16	—3	Philem. —
25	g	7 Cal.	Catherine, V. —	—4	—17	—5	Hebr. —1
26	A	6 Cal.		—5	—18	—7	—2
27	b	5 Cal.		—8	—19	—9	—3
28	c	4 Cal.		—10	—20	—11	—4
29	d	3 Cal.	—Fast.	—12	—21	—13	—5
30	e	Pr. Cal.	S. Andrew, Ap. —		Acts —1		—6

Note, that \* Eccl<sup>us</sup> 25. is to be read only to ver 13. and † Eccl<sup>us</sup> 30. only to ver 18. and || Eccl<sup>us</sup> 46. only to ver. 20.

## The Calendar, with the Table of Leffons.

DECEMBER hath xxxi Days.

				MORNING PRAYER.		EVENING PRAYER.	
				1 Lesson	2 Lesson	1 Lesson	2 Lesson
1	f	Calenda		14	15	16	17
2	g	4 Non.		16	17	18	19
3	A	3 Non.		18	19	20	21
4	b	Pr. Non.		20, 21	22	23	24
5	c	Nonæ		23	24	25	26
6	d	8 Id.	Nicolas, Bp.	25	26	27	28
7	e	7 Id.		27	28	29	30
8	f	6 Id.	Concep. of Virg.	29	30	31	1
9	g	5 Id.	(Mary.	31	1	2	3
10	A	4 Id.		33	34	35	36
11	b	3 Id.		35	36	37	38
12	c	Pr. Id.		37	38	39	40
13	d	Idus.	Lucy, V. & M.	39	40	41	42
14	e	19 C. Jan.		41	42	43	44
15	f	18 Cal.		43	44	45	46
16	g	17 Cal.	O Sapientia.	45	46	47	48
17	A	16 Cal.		47	48	49	50
18	b	15 Cal.		49	50	51	52
19	c	14 Cal.		51	52	53	54
20	d	13 Cal.	Fast.	53	54	55	56
21	e	12 Cal.	S. Thomas, Ap.		56	57	58
22	f	11 Cal.		55	56	57	58
23	g	10 Cal.		57	58	59	60
24	A	9 Cal.	Fast.	59	60		
25	b	8 Cal.	Christmas Day.				
26	c	7 Cal.	S. Stephen, Mart.				
27	d	6 Cal.	S. John, Evang.				
28	e	5 Cal.	Innocents-Day.				
29	f	4 Cal.		61	62	63	64
30	g	3 Cal.		63	64	65	66
31	A	Pr. Cal.	Silvester, B.	65	66		

**TABLES and RULES for the Moveable and Immoveable FEASTS; together with the Days of Fasting and Abstinence, through the whole Year.**

*Rules to know when the Moveable Feasts and Holy-days begin.*

**E**aster-day (on which the rest depend) is always the First Sunday after the Full Moon, which happens upon, or next after the Twenty-first Day of March. And if the Full Moon happens upon a Sunday, Easter-day is the Sunday after.

Advent-Sunday is always the nearest Sunday to the Feast of St. Andrew, whether before or after.

Septuagesima	} Sunday is	Nine	} Weeks before Easter.
Sexagesima		Eight	
Quinquagesima		Seven	
Quadragesima		Six	
Rogation Sunday	} is	Five Weeks	} after Easter.
Ascension-Day		Forty Days	
Whit Sunday		Seven Weeks	
Trinity Sunday		Eight Weeks	

A Table of all the FEASTS that are to be observed in the Church of England throughout the Year.

All Sundays in the Year.

The Days of the Feasts of  
 { The Circumcision of our Lord  
 JESUS CHRIST.  
 The Epiphany.  
 The Conversion of S. Paul.  
 The Purification of the Blessed Virgin.  
 S. Matthias the Apostle.  
 The Annunciation of the Blessed Virgin.  
 S. Mark the Evangelist.  
 S. Phil. and S. Jam. the Apostles  
 The Ascension of our Lord  
 JESUS CHRIST.  
 S. Barnabas.

The Days of the Feasts of  
 { The Nativity of S. John Baptist.  
 S. Peter the Apostle.  
 S. James the Apostle.  
 S. Bartholomew the Apostle.  
 S. Matthew the Apostle.  
 S. Michael, and all Angels.  
 S. Luke the Evangelist.  
 S. Simon and S. Jude the Apostles.  
 All Saints.  
 S. Andrew the Apostle.  
 S. Thomas the Apostle.  
 The Nativity of our Lord.  
 S. Stephen the Martyr.  
 S. John the Evangelist.  
 The Holy Innocents.

Monday and Tuesday in Easter-Week. Monday and Tuesday in Whit Sun-Week.

A Table of the VIGILS, FASTS, and Days of Abstinence, to be observed in the Year.

The Evens or Vigils before	The Nativity of our Lord.	The Evens or Vigils before	S. John Baptist.
	The Purification of the Blessed Virgin Mary.		S. Peter.
	The Annunciation of the Blessed Virgin.		S. James.
	Easter-Day.		S. Bartholomew.
	Ascension-Day.		S. Matthew.
	Pentecost.		S. Sim. and S. Jude.
	S. Matthias.		S. Andrew.
			S. Thom. All Saints.

Note. That if any of these Feast-days fall upon a Monday, then the Vigil or Fast-day shall be kept upon the Saturday, and not upon the Sunday next before it.

*Days of Faſting or Abſtinence.*

- I. The Forty days of Lent.
- II. The Ember-days at the *Four Seasons*, being the *Wednesday, Friday, and Saturday* after
- III. The three *Rogation days*, being the *Monday, Tuesday, and Wednesday* before *Holy Thursday*, or the *Ascension* of our LORD.
- IV. All the *Fridays* in the Year, except *Chriſtmas-Day*.

*Certain Solemn Days, for which particular Services are appointed.*

- I. The Fifth Day of *November*, being the Day kept in Memory of the *Papiſts Conſpiracy*
- II. The Thirtieth Day of *January*, being the Day kept in Memory of the *Martyrdom* of King *Charles I.*
- III. The Twenty-ninth Day of *May*, being the Day kept in Memory of the *Birth and Return* of King *Charles II.*

A TABLE to find EASTER-DAY from the preſent Time, till the Year 1899 inclusive, according to the foregoing Calendar.

Golden Number.	Day of the Month.	Sunday Letter.
14	March—21	C
3	—22	D
	—23	E
11	—24	F
	—25	G
10	—26	A
8	—27	B
	—28	C
16	—29	D
5	—30	E
	—31	F
13	April—1	C
2	—2	A
	—3	B
10	—4	C
	—5	D
18	—6	E
7	—7	F
	—8	G
15	—9	A
4	—10	B
	—11	C
12	—12	D
1	—13	E
	—14	F
9	—15	G
	—16	A
17	—17	B
6	—18	C
	—19	D
	—20	E
	—21	F
	—22	G
	—23	A
	—24	B
	—25	C

THIS Table contains ſo much of the Calendar as is neceſſary for the determining of *Eaſter*; to find which, look for the Golden Number of the Year in the Firſt Column of the Table, againſt which ſtands the Day of the Paſchal Full Moon; then look in the Third Column for the Sunday-Letter, next after the Day of the Full Moon, and the Day of the Month ſtanding againſt that Sunday-Letter is *Eaſter-day*. If the Full Moon happens upon a Sunday, then (according to the firſt Rule) the next Sunday after is *Eaſter-day*.

To find the Golden Number, or Prime, add one to the Year of our Lord, and then divide by 19; the Remainder, if any, is the Golden Number; but if nothing remaineth, then 19 is the Golden Number.

To find the Dominical or Sunday-Letter, according to the Calendar, until the Year 1799 inclusive, add to the Year of our Lord its Fourth Part, omitting Fractions, and alſo the number 1: Divide the Sum by 7; and if there is no Remainder, then A is the Sunday-Letter: But if any Number remaineth, then the Letter ſtanding againſt that Number in the ſmall annexed Table, is the Sunday-Letter.

For the next Century, that is, from the Year 1800 till the Year 1899 inclusive, add to the current Year only its Fourth Part, and then divide by 7, and proceed as in the laſt Rule.

Note, That in all Biſſextile or Leap-Years, the Letter found, as above, will be the Sunday-Letter from the intercalated Day excluſive, to the End of the Year.

0	A
1	G
2	F
3	E
4	D
5	C
6	B

Another TABLE to find EASTER  
till the Year 1899 inclusive.

Golden Number.	SUNDAY-LETTERS.						
	A	B	C	D	E	F	G
I	April 16	17	18	19	20	14	15
II	April 9	3	4	5	6	7	8
III	Mar. 26	27	28	29	23	24	25
IV	April 11	17	1	12	13	14	15
V	April 2	3	4	5	6	Mar. 31	April 1
VI	April 23	24	25	19	20	21	22
VII	April 9	10	11	12	13	14	8
VIII	April 2	3	Mar. 28	29	30	31	April 1
IX	April 16	17	18	19	20	21	22
X	April 9	10	11	5	6	7	8
XI	Mar. 26	27	28	29	30	31	25
XII	April 16	17	18	19	13	14	15
XIII	April 2	3	4	5	6	7	8
XIV	Mar. 26	27	28	22	23	24	25
XV	April 16	10	11	12	13	14	15
XVI	April 2	3	4	5	Mar. 30	31	April 1
XVII	April 23	24	18	19	20	21	22
XVIII	April 9	10	11	12	13	7	8
XIX	April 2	Mar. 27	28	29	30	31	April 1

TO make use of the preceding Table, find the Sunday-Letter for the Year in the Uppermost Line, and the Golden Number, or Prime, in the Column of Golden Numbers, and against the Prime, in the same Line under the Sunday-Letter, you have the Day of the Month on which *Easter* falleth that Year. But Note, That the Name of the Month is set on the Left Hand, or just with the Figure, and followeth not, as in other Tables, by Decent, but Collateral.

A TABLE of the MOVEABLE FEASTS for Fifty-two Years,  
according to the foregoing Calendar.

Advent Sunday.	Sund. aft. Trin.	Whit-Sunday.	Ascension-Day.	Rogation Sunday.	Easter-Day.	The First Day of Lent.	Septuagesima Sunday.	Sund. after Epiph.	Sunday-Letter.	The Epact.	Golden Number.	The Year of our Lord.
Dec. 3	23	June 10	May 31	May 27	Apr. 22	Mar. 7	Feb. 18	6	G	5	1752	
2	24	11	23	19	14	Feb. 27	10	4	F	6	1753	
1	25	12	24	20	15	Mar. 8	11	3	E	7	1754	
30	26	13	25	21	16	Mar. 9	12	2	DC	8	1755	
28	27	14	26	22	17	Mar. 10	13	1	B	9	1756	
27	28	15	27	23	18	Mar. 11	14	12	A	10	1757	
3	29	16	28	24	19	Mar. 12	15	11	B	11	1758	
2	30	17	29	25	20	Mar. 13	16	10	C	12	1759	
1	31	18	30	26	21	Mar. 14	17	9	FE	1	1760	
30	1	19	31	27	22	Mar. 15	18	8	D	2	1761	
29	2	20	1	28	23	Mar. 16	19	7	C	3	1762	
28	3	21	2	29	24	Mar. 17	20	6	B	4	1763	
27	4	22	3	30	25	Mar. 18	21	5	A	5	1764	
2	5	23	4	31	26	Mar. 19	22	4	AG	6	1765	
1	6	24	5	1	27	Mar. 20	23	3	F	7	1766	
30	7	25	6	2	28	Mar. 21	24	2	E	8	1767	
29	8	26	7	3	29	Mar. 22	25	1	D	9	1768	
28	9	27	8	4	30	Mar. 23	26	12	CB	10	1769	
27	10	28	9	5	31	Mar. 24	27	11	A	11	1770	
3	11	29	10	6	1	Mar. 25	28	10	G	12	1771	
2	12	30	11	7	2	Mar. 26	29	9	F	1	1772	
1	13	31	12	8	3	Mar. 27	30	8	ED	2	1773	
30	14	1	13	9	4	Mar. 28	31	7	C	3	1774	
29	15	2	14	10	5	Mar. 29	1	6	B	4	1775	
28	16	3	15	11	6	Mar. 30	2	5	A	5	1776	
27	17	4	16	12	7	Mar. 31	3	4	GF	6	1777	
3	18	5	17	13	8	Apr. 1	4	3	E	7	1778	
2	19	6	18	14	9	Apr. 2	5	2	D	8	1779	
1	20	7	19	15	10	Apr. 3	6	1	CA	9	1780	
30	21	8	20	16	11	Apr. 4	7	12	B	10	1781	
29	22	9	21	17	12	Apr. 5	8	11	G	11	1782	
28	23	10	22	18	13	Apr. 6	9	10	F	12	1783	
27	24	11	23	19	14	Apr. 7	10	9	E	1	1784	
3	25	12	24	20	15	Apr. 8	11	8	DC	2	1785	
2	26	13	25	21	16	Apr. 9	12	7	B	3	1786	
1	27	14	26	22	17	Apr. 10	13	6	A	4	1787	
30	28	15	27	23	18	Apr. 11	14	5	G	5	1788	
29	29	16	28	24	19	Apr. 12	15	4	FE	6	1789	
28	30	17	29	25	20	Apr. 13	16	3	D	7	1790	
27	31	18	30	26	21	Apr. 14	17	2	C	8	1791	
3	1	19	31	27	22	Apr. 15	18	1	B	9	1792	
2	2	20	1	28	23	Apr. 16	19	12	A	10	1793	
1	3	21	2	29	24	Apr. 17	20	11	G	11	1794	
30	4	22	3	30	25	Apr. 18	21	10	D	12	1795	
29	5	23	4	31	26	Apr. 19	22	9	CB	1	1796	
28	6	24	5	1	27	Apr. 20	23	8	A	2	1797	
27	7	25	6	2	28	Apr. 21	24	7	F	3	1798	
3	8	26	7	3	29	Apr. 22	25	6	E	4	1799	
2	9	27	8	4	30	Apr. 23	26	5	D	5	1800	
1	10	28	9	5	31	Apr. 24	27	4	C	6	1801	
30	11	29	10	6	1	Apr. 25	28	3	B	7	1802	
29	12	30	11	7	2	Apr. 26	29	2	A	8	1803	
28	13	31	12	8	3	Apr. 27	30	1	AG	9	1804	

A TABLE of the MOVEABLE FEASTS, according to the several Days that EASTER can possibly fall upon.

	Sundays after Epiphany.	Septuagesima Sunday.	The First Day of Lent.	Rogation Sunday.	Ascension-day.	Whitunday.	Sundays after Trinity.	Advent Sunday.
Mar 22	1	Jan. 18	Feb. 4	Apr. 26	Apr. 30	May 10	27	Nov. 29
23	1	19	5	27	May 1	11	27	30
24	1	20	6	28	2	12	27	Dec. 1
25	2	21	7	29	3	13	27	2
26	2	22	8	30	4	14	27	3
27	2	23	9	May 1	5	15	26	Nov. 27
28	2	24	10	2	6	16	26	28
29	2	25	11	3	7	17	26	29
30	2	26	12	4	8	18	26	30
31	2	27	13	5	9	19	26	Dec. 1
Apr. 1	3	28	14	6	10	20	26	2
2	3	29	15	7	11	21	26	3
3	3	30	16	8	12	22	25	Nov. 27
4	3	31	17	9	13	23	25	28
5	3	Feb. 1	18	10	14	24	25	29
6	3	2	19	11	15	25	25	30
7	3	3	20	12	16	26	25	Dec. 1
8	4	4	21	13	17	27	25	2
9	4	5	22	14	18	28	25	3
10	4	6	23	15	19	29	24	Nov. 27
11	4	7	24	16	20	30	24	28
12	4	8	25	17	21	31	24	29
13	4	9	26	18	22	June 1	24	30
14	4	10	27	19	23	2	24	Dec. 1
15	5	11	28	20	24	3	24	2
16	5	12	Mar 1	21	25	4	24	3
17	5	13	2	22	26	5	23	Nov. 27
18	5	14	3	23	27	6	23	28
19	5	15	4	24	28	7	23	29
20	5	16	5	25	29	8	23	30
21	5	17	6	26	30	9	23	Dec. 1
22	6	18	7	27	31	10	23	2
23	6	19	8	28	June 1	11	23	3
24	6	20	9	29	2	12	22	Nov. 27
25	6	21	10	30	3	13	22	28

Note, That in a Bissextile or Leap-Year, the Number of Sundays after Epiphany will be the same, as if *Easter-Day* had fallen one Day later than it really does. And for the same reason, one Day must in every Leap-Year be added to the Day of the Month given by the Table for *Septuagesima-Sunday*: And the like must be done for the First Day of *Lent* (commonly called *Ash-Wednesday*) unless the Table gives some Day in the Month of *March* for it; for in that Case the Day given by the Table is the right Day.

Table to find EASTER from the Year 1900, to the Year 2199 inclusive.

Golden Numb.	Day of the Month.	Sunday-Letters.
14	March — 22	D
3	— 23	E
	— 24	F
11	— 25	G
	— 26	A
19	— 27	B
8	— 28	C
	— 29	D
16	— 30	E
5	— 31	F
	April — 1	G
13	— 2	A
2	— 3	B
	— 4	C
10	— 5	D
	— 6	E
18	— 7	F
7	— 8	G
	— 9	A
15	— 10	B
4	— 11	C
	— 12	D
12	— 13	E
1	— 14	F
	— 15	G
9	— 16	A
17	— 17	B
6	— 18	C
	— 19	D
	— 20	E
	— 21	F
	— 22	G
	— 23	A
	— 24	B
	— 25	C

THE Golden Numbers in the foregoing Calendar will point out the Days of the Paschal Full Moons, till the Year of our Lord 1900; at which Time, in order that the Ecclesiastical Full Moons may fall nearly on the same Days with the real Full Moons, the Golden Numbers must be removed to different Days of the Calendar, as is done in the annexed Table, which contains so much of the Calendar then to be used, as is necessary for finding the Paschal Full Moons, and the Feast of *Easter*, from the Year 1900, to the Year 2199 inclusive. This Table is to be made use of, in all respects, as the First Table before inserted, for finding *Easter* till the Year 1899.



General TABLES for finding the Dominical or Sunday-Letter,  
and the Places of the Golden Numbers in the Calendar.

TABLE I.

6	5	4	3	2	1	0
B	C	D	E	F	G	A
				1600	1700	1800
1900	2100	2200	2300	2500	2600	2700
2000			2400			2800
2900	3000	3100	3300	3400	3600	3700
		3200				
3800	3900	4100	4200	4300	4500	4600
		4000		4400		
4700	4900	5000	5100	5300	5400	5600
4800			5200			5500
5700	5800	5900	6100	6200	6300	6500
		6000			6400	
6600	6700	6900	7000	7100	7300	7400
	6800			7200		
7500	7700	7800	7900	8100	8200	8300
7600			8000		8200	8400
8500 &c.						

To find the Dominical or Sunday-Letter for any given Year of our Lord, add to the Year its outh Part, omitting Fractions, and the Number, which in Table I. standeth at the Top of the Column, where in the Number of Hundreds contained in that given Year is found. Divide the Sum by 7, and if there is no Remainder, then A is the Sunday-Letter; but if any Number remaineth, then the Letter, which standeth under that Number at the Top of the Table, is the Sunday-Letter.

TABLE II.

1	2	3	1	2	3
	Years of our Lord.			Years of our Lord.	
B	1600	C	B	5200	15
	1700	D		5300	16
	1800	E		5400	17
	1900	F		5500	17
R	2000	G	B	5600	17
	2100	A		5700	18
	2200	B		5800	18
	2300	C		5900	19
B	2400	D	B	6000	19
	2500	E		6100	19
	2600	F		6200	20
	2700	G		6300	21
B	2800	A	B	6400	20
	2900	B		6500	21
	3000	C		6600	22
	3100	D		6700	23
B	3200	E	B	6800	22
	3300	F		6900	23
	3400	G		7000	24
	3500	A		7100	24
B	3600	B	B	7200	24
	3700	C		7300	25
	3800	D		7400	25
	3900	E		7500	26
B	4000	F	B	7600	26
	4100	G		7700	26
	4200	A		7800	27
	4300	B		7900	28
B	4400	C	B	8000	27
	4500	D		8100	28
	4600	E		8200	29
	4700	F		8300	29
B	4800	G	B	8400	29
	4900	A		8500	0
	5000	B		&c.	
	5100	C			

To find the Month and Days of the Month, to which the Golden Numbers ought to be prefixed in the Calendar, in any given Year of our Lord, considering of entire Hundred Years, and in all the intermediate Years betwixt that and the next Hundredth Year following; look in the Second Column of Table II. for the given Year, consisting of entire Hundreds, and Note the Number or Cypher which stands against it in the Third Column: Then, in Table III. look for the same Number in the Column under any given Golden Number; which when you have found, guide your Eye side-ways to the Left Hand, and in the First Column you will find the Month and Day, to which that Golden Number ought to be prefixed in the Calendar during that Period of One hundred Years.

The Letter B prefixed to certain Hundredth Years in Table II. denotes those Years which are still to be accounted Bissextile or Leap-Years, in the New Calendar; whereas all the other Hundredth Years are to be accounted only common Years.

TABLE III.

Paschal Full Moon.	Sunday- Letter.	The GOLDEN NUMBERS.																		
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
March 21	C	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26
March 22	D	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27
March 23	E	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28
March 24	F	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29
March 25	G	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0
March 26	A	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1
March 27	B	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2
March 28	C	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3
March 29	D	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4
March 30	E	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5
March 31	F	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6
April 1	G	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7
April 2	A	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8
April 3	B	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9
April 4	C	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10
April 5	D	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11
April 6	E	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12
April 7	F	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13
April 8	G	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14
April 9	A	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15
April 10	B	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16
April 11	C	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17
April 12	D	0	11	22	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18
April 13	E	1	12	23	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19
April 14	F	2	13	24	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20
April 15	G	3	14	25	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21
April 16	A	4	15	26	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22
April 17	B	5	16	27	8	19	0	11	22	3	14	25	6	17	28	9	20	1	12	23
April 18	C	6	17	28	9	20	1	12	23	4	15	26	7	18	29	10	21	2	13	24
April 19	D	7	18	29	10	21	2	13	24	5	16	27	8	19	0	11	22	3	14	25

## C A P. XXIV.

*An act to provide for the adminiftration of the government, in case the crown fhould defcend to any of the children of his late royal highnefs Frederick prince of Wales, being under the age of eighteen years; and for the care and guardianship of their perfons.*

Moſt gracious Sovereign,

**W**HEREAS your Maſteſty having it entirely at heart to ſecure the future welfare and happineſs of your people, was graciously pleaſed to communicate to your parliament, That you had maturely conſidered, that nothing can conduce ſo much (under the protection of the divine providence) to the preſervation of the proteſtant ſucceſſion in your royal family, and the ſupport of the religion, laws and liberties of theſe kingdoms (which have always been moſt dear to your Maſteſty) as the making proper proviſions for the care and tuition of the perſon of your ſucceſſor to the crown, and for the regular adminiſtration of the government, in caſe ſuch ſucceſſor ſhould be of tender years, by means whereof, the ſafety and princely education of ſuch ſucceſſor may be ſecured, the publick peace and good order maintained, and the ſtrength and glory of the crown of Great Britain ſuffer no diminution; for which reaſons your Maſteſty, out of your paternal affection and tenderneſs for your royal family, and for all your faithful ſubjects, did earneſtly recommend it to both your houſes of parliament to take this weighty affair into their moſt ſerious deliberation; and was pleaſed to propoſe to their conſideration, That when the imperial crown of theſe realms ſhould deſcend to any of the iſſue of your ſon the late prince of Wales, being under the age of eighteen years, the princeſs dowager of Wales their mother (of whoſe great virtues and eminent qualities, we are truly ſenſible) might be guardian of the perſon of ſuch ſucceſſor, and regent of theſe kingdoms, until they ſhould attain ſuch age, with ſuch powers and limitations as ſhould appear neceſſary and expedient for theſe important purpoſes: and whereas, in return for this paternal goodneſs, with the moſt unfeigned duty and gratitude to your Maſteſty, and with the juſteſt ſenſe of that conſtant protection which your Maſteſty has always extended to our religious and civil rights, and of the many bleſſings which theſe kingdoms have enjoyed, during your auſpicious and glorious reign (for the long continuance whereof our daily and moſt fervent prayers are offered up to heaven) we have taken this weighty affair into our ſerious conſideration, and being thoroughly convinced of the wiſdom and expediency of what your Maſteſty has thought fit to recommend on this important occaſion, are firmly and zealouſly determined to contribute every thing in our power to the preſervation of the proteſtant ſucceſſion, as ſettled by law in your royal family, the numerous hopeful branches whereof, formed by your inſtruction, and led by your example, we look upon as ſo many pledges of the ſecurity of our excellent conſtitution to future generations: we, your Maſteſty's moſt dutiful and loyal ſubjects, the lords ſpiritual and temporal and commons in parliament aſſembled, do

humbly

humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That whensoever, and as often as the imperial crown of this realm shall descend to his royal highness *George William Frederick* prince of *Wales*, the eldest son of his royal highness *Frederick* late prince of *Wales*, or to any other of the children of his said late royal highness, if at the respective times of such descent, his said royal highness *George William Frederick* prince of *Wales*, or such other of the said children succeeding to the crown as aforesaid, shall be under the age of eighteen years, her royal highness *Augusta* princess dowager of *Wales* shall be guardian and have the care, tuition and education of the person of his said royal highness *George William Frederick* prince of *Wales*, or such other successor as aforesaid, until their respective ages of eighteen years, and shall, till such ages, have the disposition, ordering and management of all matters and things relating thereto; and that her said royal highness shall, during such minorities, and no longer, have full power and authority, in the name of his said royal highness *George William Frederick* prince of *Wales*, or such other successor, and in his or her stead, and under the stile and title of *Regent of the Kingdom*, to exercise and administer, according to the laws and constitution thereof, the regal power and government of this realm, and all the dominions, countries and territories belonging to the crown of *Great Britain*, and shall do and execute all prerogatives, authorities, acts of government and administration of government, which belong to the King or Queen of this realm to do and execute, according to law; but in such manner, and subject to such conditions, restrictions, limitations and regulations, as are herein after for that purpose specified and mentioned.

If the crown shall descend to any of the children of the late prince of *Wales*, being under the age of 18 years,

*Augusta* princess dowager of *Wales* is constituted guardian of such successor,

and regent of the kingdom.

II. And be it further enacted by the authority aforesaid, That all acts of regal power, prerogative, government or administration of government, of what nature or kind soever, which shall be done or executed by such King or Queen under the age of eighteen years, during the regency of her said royal highness, established by this act, otherwise than by her said royal highness, in the manner, and according to the directions of this act, shall be absolutely null and void to all intents and purposes.

Acts of regal power done otherwise than by her royal highness declared void.

III. And be it further enacted by the authority aforesaid, That in order to assist her said royal highness in the administration of the government, there shall be during such minorities, a council to be called *The Council of Regency*, which shall consist of the persons and officers following, (that is to say) his royal highness *William* duke of *Cumberland*, the archbishop of *Canterbury* for the time being, the lord chancellor or lord keeper of the great seal of *Great Britain* for the time being, the lord treasurer of *Great Britain* for the time being, the lord president of the council for the time being, the lord privy seal for the time being,

Council of regency to assist her royal highness.

His Maſteſty  
by 3 inſtru-  
ments under  
his ſign ma-  
nual may add  
four counſel-  
lors;

and may alter  
his nomination.

After the de-  
miſe of his  
Maſteſty, in  
caſe of ſuch  
minority, the  
inſtruments  
to be brought  
before the  
privy council.

Any perſon  
who ſhall open  
the ſaid in-  
ſtruments,  
&c. incurs a  
premunire.

ing, the lord high admiral of *Great Britain* for the time being, the principal ſecretaries of ſtate for the time being, and the lord chief juſtice of the court of *King's Bench* for the time being; and ſuch and ſo many other perſons (being natural-born ſubjects of this realm) not exceeding the number of four, as his preſent Maſteſty ſhall, by three inſtruments under his royal ſign manual, revocable, from time to time, at his will and pleaſure, think fit to nominate and add to the ſaid perſons and officers before mentioned; which three inſtruments being ſealed up under three ſeveral covers, with any ſeal his Maſteſty ſhall think fit to make uſe of for that purpoſe, ſhall be each ſealed alſo with the ſeveral ſeals of her ſaid royal highneſs, the archbiſhop of *Canterbury* for the time being, and the lord chancellor or lord keeper of the great ſeal for the time being; and one of the ſaid inſtruments ſhall be lodged and depoſited in the hands of her ſaid royal highneſs, another in the hands of the ſaid archbiſhop of *Canterbury*, and one other in the hands of the lord chancellor or lord keeper of the great ſeal for the time being; and if his Maſteſty ſhall be willing to revoke or alter his nomination made as aforeſaid, and ſhall, by three writings under his hand and ſeal, require the ſaid inſtruments ſo depoſited as aforeſaid, to be delivered up to ſome perſon or perſons thereby authorized to receive the ſame, then and in ſuch caſe, the perſons with whom the ſaid inſtruments ſhall be depoſited as aforeſaid, and every of them, and in caſe of the deaths of any of them, their executors and adminiſtrators reſpectively, and every other perſon in whoſe cuſtody any of the ſaid inſtruments ſhall happen to be, ſhall deliver up the ſame accordingly; and in caſe the ſaid archbiſhop of *Canterbury*, or the lord chancellor or lord keeper ſhall die or be removed from their ſaid offices, before the re-delivery of ſuch inſtruments as aforeſaid, the perſon ſo removed, and the executors and adminiſtrators of the perſons ſo dying, and every perſon in whoſe cuſtody ſuch inſtrument ſhall happen to be, ſhall deliver the ſame with all convenient ſpeed, to the ſucceſſor or ſucceſſors of the perſon ſo dying or being removed; and after the demiſe of his Maſteſty, in caſe of ſuch minority as aforeſaid, the ſaid three perſons, their executors or adminiſtrators, and all other perſons in whoſe cuſtody the ſaid inſtruments ſhall then be, ſhall immediately bring the ſame before the privy council then eſtting; which it is hereby enacted, ſhall be forthwith on ſuch demiſe aſſembled, and ſuch inſtruments ſhall be there opened and read, and preſently afterwards inrolled in the high court of *Chancery*.

IV. And be it further enacted by the authority aforeſaid, That if any of the ſaid perſons, with whom the ſaid inſtruments ſhall be ſo depoſited, or any of their executors or adminiſtrators, or any other perſon having the cuſtody thereof, ſhall open any of the ſaid inſtruments in the life of his preſent Maſteſty, without his Maſteſty's order, or ſhall wilfully neglect or reſuſe to produce and deliver the ſame to the privy council, every perſon ſo opening, neglecting or reſuſing, ſhall incur the pains and penalties

nalties of *Premunire* inflicted by the ſtatute of *Premunire* made in the ſixteenth year of the reign of King *Richard* the Second.

V. And be it further enacted by the authority aforeſaid, That if all the ſaid three inſtruments ſhall not be produced before the ſaid privy council as aforeſaid, then any one or more of the ſaid inſtruments ſo produced, ſhall be effectual to give ſuch authority as aforeſaid, to the perſons therein named, not exceeding four; and in caſe his Maſteſty ſhall not be pleaſed to name any ſuch additional counſellors, then his ſaid royal highneſs the duke of *Cumberland*, the ſaid archbiſhop of *Canterbury*, and the ſaid officers for the time being, ſhall be ſolely the council of regency, and be inveſted with all the powers intended to be veſted by this act in the council of regency.

One inſtrument produced, effectual.

VI. Provided always, That if at the time of his Maſteſty's deſiſe, or at any time during the regency of her ſaid royal highneſs, there ſhall be no lord high treaſurer of *Great Britain*, and the office of treaſurer of the *Exchequer* ſhall be in commiſſion, or if there ſhall be then no lord high-admiral, and the office of lord high admiral ſhall be then in commiſſion, then the firſt commiſſioner named in ſuch reſpective commiſſions ſhall be of the ſaid council of regency.

If the office of lord high treaſurer, &c. be in commiſſion, the firſt in commiſſion to be of the council.

VII. And be it further enacted by the authority aforeſaid, That the ſaid council of regency ſhall, from time to time, meet and ſit as her ſaid royal highneſs ſhall be pleaſed to direct, and that any five of the ſaid council, but not any leſs number, being ſo aſſembled, ſhall be ſufficient to act as ſuch council of regency, and all acts to be done by a major part of the council ſo aſſembled, ſhall be deemed to be acts of the council of regency, (excepting in ſuch particular caſes wherein it is otherwiſe provided by this act) and that his ſaid royal highneſs *William* duke of *Cumberland* ſhall be chief or head of the ſaid council.

Not leſs than five of the council to act.

His royal highneſs the duke, head of the council.

VIII. And be it further enacted by the authority aforeſaid, That her royal highneſs the princeſs, dowager of *Wales*, before ſhe ſhall act or enter upon her ſaid office of regent, or within one calendar month after, ſhall take the following oath of office (that is to ſay)

Oath of office to be taken by her royal highneſs.

**I** *Augusta* princeſs dowager of *Wales*, do ſolemnly promiſe and ſwear, That I will truly and faithfully execute the office of regent of the kingdom of *Great Britain*, according to an act of parliament made in the twenty-ſeventh year of the reign of his maſteſty King *George* the Second, intituled, An act to provide for the adminiſtration of the government, in caſe the crown ſhould deſcend to any of the children of his late royal highneſs *Frederick* prince of *Wales*, being under the age of eighteen years, and for the care and guardianship of their perſons; and that I will adminiſter the government of this realm, and of all the dominions thereunto belonging, according to the laws, cuſtoms and ſtatutes thereof; and will in all things, to the utmoſt of my power and ability, conſult and maintain the ſafety, honour and dignity of his or her (as the caſe ſhall require)

quire) *Majesty, and the welfare of his or her (as the case shall require) people.*

So help me God.

Oath of office  
to be taken by  
each member  
of the council.

IX. And each of the members of the said council of regency, and their successors, shall, before they shall respectively act in or enter upon their respective offices as members of the said council, take the following oath of office (that is to say)

**I** A. B. do solemnly promise and swear, That I will truly and faithfully serve his or her (as the case shall require) *Majesty, in the office of one of the council of regency, established by an act of parliament made in the twenty-fourth year of the reign of his majesty King George the Second, intituled, An act to provide for the administration of the government, in case the crown should descend to any of the children of his late royal highness Frederick prince of Wales, being under the age of eighteen years; and for the care and guardianship of their persons; and that I will duly and faithfully execute the said office, according to the true intent and meaning of the said act; and that in all matters and things which shall be moved, debated and considered in the council of regency, I will truly and faithfully declare my mind and opinion, according to my heart and conscience, and the best of my judgement; and will support, maintain, and defend the person, honour, crown and dignity of his or her (as the case shall require) Majesty, to the utmost of my power.*

So help me God.

To be taken  
before the  
privy council.

Each of which oaths shall be taken before the privy council then in being, who are hereby required and impowered to administer the same, and to enter the same in the council book.

Her royal  
highness and  
the council to  
qualify them-  
selves, as for  
offices of trust.

X. And be it further enacted by the authority aforesaid, That her said royal highness, and every person, who shall be of the council of regency by virtue of this act, and of the powers hereby given, shall be deemed and taken to be persons having and executing offices or places of trust within *England*, and take and subscribe such oaths, make and subscribe such declaration, and do all such acts as are required by the laws and statutes of this kingdom, to qualify persons to hold and continue in offices and places of trust, within such times, and in such manner, and under such pains, penalties, forfeitures and disabilities, as in and by the said laws and statutes are required.

Her royal  
highness may  
take the oaths,  
&c. before the  
privy council,  
and receive  
the sacrament  
in the royal  
chapel.

XI. Provided nevertheless, and be it enacted by the authority aforesaid, That it shall be lawful for her said royal highness to take and subscribe the said oaths, and make and subscribe such declaration, in and before the privy council, and the certificate of her said royal highness's having received the sacrament of the Lord's supper, in any of the royal chapels, signed by the person administering the same, shall be registered in the said privy council, and her said royal highness's so taking and subscribing the said oaths, and making and subscribing the said declaration,

and

and taking the ſaid ſacrament, ſhall be to all intents and purpoſes as effectual as if the ſame had been taken, made and ſubſcribed in the manner required by law, for the qualification of perſons to hold and continue in offices and places of truſt.

XII. And be it further enacted by the authority aforeſaid, That whenſoever his preſent Maſteſty (whom God long preſerve) ſhall happen to demife, leaving ſuch ſucceſſor as aforeſaid, under the age of eighteen years, the privy council for the kingdom of *Great Britain* in being, at the time of ſuch demife, ſhall, with all convenient ſpeed, aſſemble, and cauſe ſuch next ſucceſſor intituled to the crown of *Great Britain*, by virtue of an act of the twelfth year of the reign of King *William the Third*, (intituled, *An act for the further limitation of the crown, and better ſecuring the rights and liberties of the ſubject*) to be openly and ſolemnly proclaimed in the uſual manner in *Great Britain* and *Ireland*; and that all and every member and members of the ſaid privy council, wilfully neglecting or refusing to cauſe ſuch proclamations to be made, ſhall be guilty of high treaſon, and ſuſfer upon conviction thereof pains of death, and all other loſſes and forfeitures, as in caſes of high treaſon.

Upon his Maſteſty's demife, in the minority of his ſucceſſor, the privy council to cauſe ſuch ſucceſſor to be proclaimed,  
12 W. 3. c. 2.

under penalty of high treaſon.

XIII. Provided always, and be it enacted by the authority aforeſaid, That in the creation of all peerages of *Great Britain*, or *Ireland*, in the pardoning of all crimes of high treaſon, and in the gift, grant and diſpoſition of all archbiſhopricks and biſhopricks in *England* or *Ireland*, the offices of lord chancellor or lord keeper of the great ſeal of *Great Britain* or *Ireland*, of lord treaſurer or treaſurers of the *Exchequer*, or commiſſioners for executing the office of treaſurer of the *Exchequer*, lord preſident of the council, lord privy ſeal, lord high admiral, or commiſſioners for executing the office of lord high admiral, the principal ſecretaries of ſtate, maſter of the rolls in *Great Britain* and *Ireland*, and of all the judges of the courts of *King's Bench* and *Common Pleas*, and barons of the courts of *Exchequer* in *England* and *Ireland*, and of the judges of the court of ſeſſion, court of juſticiary, and barons of the court of *Exchequer* in *Scotland*, and in the giving inſtructions, orders and authorities for the making any treaties with any foreign powers; the conſent of the ſaid council of regency, or the major part of any five or more of them ſo aſſembled as aforeſaid, ſhall be neceſſary to make the ſaid creations, pardons, gifts, grants, diſpoſitions, inſtructions, orders or authorities, good and effectual.

The majority of five of the council of regency neceſſary in all creations, &c.

XIV. Provided alſo, and be it enacted by the authority aforeſaid, That it ſhall not be lawful for her ſaid royal highneſs to make war or peace, ratify any treaty with any foreign power, or to prorogue, adjourn or diſſolve any parliament, without the conſent of the major part of the whole council of regency, then in being, and in *Great Britain*, in caſe there ſhall then be an unequal number in *Great Britain*; and if the number then in *Great Britain* ſhall be an equal number, then without the conſent of one half part of the ſaid council; and that her ſaid royal highneſs, either with or without the conſent of the ſaid council

Her royal highneſs not to make war or peace, prorogue, or diſſolve any parliament, without conſent of the council, nor to give the royal aſſent to any act for altering the ſucceſſion.



of regency, shall not give the royal assent to any bill or bills in parliament, for repealing, changing, or in any respect varying from the order and course of succession to the crown of this realm, as the same stands now established in the illustrious house of Hanover, by the said act of the twelfth year of the reign of King William the Third, intituled, (*An act for the further limitation of the crown, and better securing the rights and liberties of the subject*) or to any act for repealing or altering the act made in the thirteenth year of the reign of King Charles the Second, intituled, *An act for the uniformity of publick prayers and administration of sacraments, and other rites and ceremonies; and for establishing the form of making, ordaining and consecrating bishops, priests, and deacons, in the church of England*) or one act of the fifth year of the reign of Queen Anne, made in Scotland, (intituled, *An act for securing the protestant religion and presbyterian church government.*)

nor for repealing or altering  
13 Car. 2. c. 4.

or 5 Annæ.

Members of the council by reason of office, to be no longer of the council than they continue in office. Officers appointed to be of the council, to continue in office unless removed.

XV. Provided also, and be it further enacted by the authority aforesaid, That the archbishop of *Canterbury*, or any other person appointed by this act to be of the said council of regency, in virtue or by reason of his dignity or office, shall continue no longer of the said council than he shall continue in such his said dignity or office, and his successor in such dignity or office shall become one of the said council; and that the lord chancellor or lord keeper of the great seal for the time being, the lord treasurer or first commissioner of the treasury for the time being, the lord president of the council for the time being, the lord privy seal for the time being, the lord high admiral or first commissioner of the admiralty for the time being, and the principal secretaries of state for the time being, so appointed to be of the said council of regency by this act, shall continue in their said respective offices, after such descent of the crown to any of the children of her said royal highness *Frederick* late prince of *Wales*, during the regency of her said royal highness, as well after as before the expiration of six months from the time of such descent, unless removed by her said royal highness, with the consent of a major part of the whole council of regency then in being, and in *Great Britain*, in case there shall then be an unequal number in *Great Britain*; and if the number then in *Great Britain* shall be an equal number, then with the consent of one half part of the said council, or upon the address of both houses of parliament, in which latter case her royal highness alone may remove any of the said officers against whom such address shall be presented.

Members of the council may be removed by consent of the majority, &c. or upon address of both houses of parliament.

XVI. Provided nevertheless, That the archbishop of *Canterbury* for the time being, and the lord chief justice of the court of *King's Bench* for the time being, notwithstanding their remaining in such dignity and office respectively, may be removed from being of the council of regency by her royal highness, with the consent of a major part of the council of regency then in being, and in *Great Britain*, in case there shall then be an unequal number in *Great Britain*; and if the number then in *Great Britain*

*Britain* shall be an equal number, then with the consent of one half part of the said council, or upon the address of both houses of parliament; and that any other of the members of the said council not so appointed in virtue or by reason of their dignities or offices, may be removed likewise by her royal highness, with the like consent, or upon the address of both houses of parliament; and within two calendar months after such descent of the crown as aforesaid, in case any vacancy or vacancies of any of the said offices shall happen then to be, and within the space of two calendar months after every vacancy which shall happen by means of such removal, or by the death or resignation of any member of the said council of regency, her royal highness shall and is required, with the consent of the council of regency, or the major part of those present, not being less than five, to fill up such vacancy by the appointment of a new officer, where the vacancy happens by the death, removal or resignation of one of the members of the said council, so appointed in virtue or by reason of his dignity or office, or by the appointment of a new member of the said council, being a natural born subject of this realm, where the vacancy happens by the death or removal, or resignation of any member, not being one of the officers named in this act, or by the resignation or removal of the archbishop of *Canterbury*, or of the lord chief justice of the *King's Bench*, from being of the said council of regency.

Vacancies of members of the council to be filled up within 2 months.

XVII. Provided always, and be it enacted by the authority of the said parliament, That nothing herein contained shall take away or prejudice the rights, authorities, powers and jurisdictions of the privy council, but her said royal highness shall have full power to summon and hold, or to cause the same to be summoned and holden in the usual manner, and any of the members of the said council of regency may be and continue in the privy council also.

Rights of the privy council preserved.

XVIII. And be it further enacted by the authority aforesaid, That whensoever and as often as the crown shall descend to such minor successor as aforesaid, in case a parliament shall be then in being, which shall have met and sat, such parliament shall continue for three years, from the time of such descent, unless such successor to whom the crown shall descend as aforesaid, shall sooner attain his or her age of eighteen years, or such parliament shall be sooner dissolved by her said royal highness with the consent of a major part of the council of regency, then in being, and in *Great Britain*, in case there shall then be an unequal number in *Great Britain*, and if the number then in *Great Britain* shall be an equal number, then with the consent of one half part of the said council; and in case at the time of such descent, there shall be no parliament in being, which shall have met and sat, then the last preceding parliament shall immediately convene and sit at *Westminster*, and be a parliament to continue for three years as aforesaid, to all intents and purposes, as if the same had never been dissolved, unless such successor shall sooner attain his or her age of eighteen years, or such parliament

Upon descent of the crown to a minor the parliament to continue for 3 years, unless such successor shall be sooner of age, or the parliament be dissolved, &c.

If no parliament in being, the preceding parliament to sit for 3 years.

ment

ment ſhall be ſooner diſſolved by her ſaid royal highneſs, with ſuch conſent as laſt mentioned.

ſucceſſor not to be married during minority, without conſent of her royal highneſs and the council;

XIX. And be it further enacted by the authority aforeſaid, That his royal highneſs *George William Frederick* prince of *Wales*, in caſe the crown ſhall deſcend or come to him before his age of eighteen, or any other of the children of his late royal highneſs *Frederick* prince of *Wales*, to whom the ſame ſhall deſcend before his or her age of eighteen years, ſhall not, during the regency of her ſaid royal highneſs, be married to any perſon whatſoever, without the conſent of her ſaid royal highneſs, and of a major part of the ſaid council of regency then in being, and in *Great Britain*, in caſe there ſhall then be an unequal number in *Great Britain*, and if the number then in *Great Britain* ſhall be an equal number, then without the conſent of one half part of the ſaid council; and every marriage ſo had without ſuch conſent, ſhall be null and void to all intents and purpoſes; and every perſon who ſhall be acting, aiding, abetting or concerned in obtaining, procuring or bringing about any ſuch marriage, and the perſon who ſhall be ſo married to ſuch King or Queen, under the age of eighteen years, ſhall be guilty of high treaſon, and ſuffer and forfeit as in caſes of high treaſon.

ſuch marriage null, and every perſon concerned, &c. guilty of high treaſon.

In caſes of equality of voices, her royal highneſs may decide.

XX. And be it further enacted by the authority aforeſaid, That in all caſes where the members of the council of regency ſhall be equally divided in their voices, her ſaid royal highneſs ſhall and may decide and determine the queſtion or matter concerning which they ſhall be ſo equally divided, if ſhe ſhall be pleaſed to give her own opinion thereupon.

Where conſent of a majority is neceſſary, the members are to ſign the ſame.

XXI. And be it further enacted by the authority aforeſaid, That in all caſes where the conſent of a major or one half part of the ſaid council of regency then in being, and in *Great Britain*, is by this act made neceſſary to the validity of any act, matter or thing, ſuch conſent ſhall be ſigned by the reſpective members giving ſuch conſent in the council books; and that a clerk or clerks of the council of regency, ſhall be appointed by her ſaid royal highneſs, and ſuch clerk or clerks ſhall provide books for entering the acts of ſuch council, and ſhall enter the ſame truly and faithfully, and keep the ſaid books, for which he or they ſhall be answerable, and ſuch clerk or clerks, before he or they enter upon the execution of their ſaid office, ſhall take an oath before ſuch council, for the due execution of ſuch office or place reſpectively.

Clerk of the council to be appointed,

and take an oath of office.

Commiſſions, &c. to change the order, &c. of government, declared void,

XXII. And be it further enacted by the authority aforeſaid, That all commiſſions, letters patent, orders, matters and things to be made, paſſed, had or done by the ſaid regent, either with or without the conſent of the ſaid council of regency, in order unlawfully to ſet aſide, change or vary the order and method of government, and adminiſtration of government ſettled by this act, during ſuch minorities as aforeſaid, ſhall be abſolutely null and void to all intents and purpoſes, and every perſon adviſing, concurring, promoting or aſſiſting therein, ſhall incur the penalties of *Premunire*, inflicted by the ſaid ſtatute of *Premunire*.

and the perſons concerned to incur a *Premunire*.

XXIII. And

XXIII. And be it declared and enacted by the authority aforesaid, That an act of parliament made in the twenty-eighth year of the reign of King Henry the Eighth, intituled, *An act giving authority to such as shall succeed to the crown of this realm when they come to the age of twenty-four years, to make frustrate such acts as shall be made afore in their time*; and one other act made in the first year of the reign of King Edward the Sixth, intituled, *An act for the repeal of a certain statute made in the eight and twentieth year of the reign of the late King, of most famous memory, Henry the Eighth, for revoking of acts of parliament, are determined, and of no force or effect whatsoever.* 28 Hen. 8. c. 17.  
1 Ed. 6.  
c. 11. determined.

## C A P. XXV.

*An act for laying out, making and keeping in repair, a road proper for the passage of troops and carriages from the city of Carlisle to the town of Newcastle upon Tyne.*

**W**HEREAS the making and keeping a free and open communication between the city of Carlisle and the town of Newcastle upon Tyne, by a road proper for the passage of troops, horses and carriages, at all times in the year, would be of great use and service to the publick; and it hath been found by experience, that the want of such road, passage and communication, hath been attended with great inconvenience and danger to this kingdom: and whereas such road cannot be laid out, or the charge of making the same be defrayed, otherwise than at the expence of the publick, and by the authority of parliament; but is is apprehended that such publick road when finished, may be supported, and kept in repair, by proper tolls and duties to be raised and collected thereupon for that purpose: may it therefore please your most excellent Majesty, that it may be enacted, &c.

The new road shall extend from the west gate of Newcastle to East Denton, and by Chapel Houses to Haddon on the Wad. Harlow Hill, Port Gate, Chollerford Bridge, Walwick, Carrawburgh, Winfields, Clowgill, Brampton, High Crosby, Drawdikes and Stanwix, to the Scotch gate of Carlisle. Trustees to nominate officers, &c. Copies of the accounts and of all contracts, &c. to be delivered to each house of parliament. Surveyors may dig gravel in waste grounds, &c. without paying for the same; levelling the pits. Justices to determine differences. Trustees may purchase lands to be taken into the road, &c. Persons neglecting to treat for the sale of such lands, trustees may assess the recompence, by a jury. The recompence charged on the monies granted by parliament for making the road. 3,000l. to be paid out of the supplies for the year 1751, towards making the road; 1,000l. to the trustees of Cumberland, and 2,000l. to the trustees of Northumberland. Accounts of the monies to be laid before parliament. When the road shall be made, turnpikes and toll-houses are to be erected, and tolls to be taken. One third of the tolls only to be taken at any one toll-gate in Northumberland, and one half in Cumberland. Penalty on carriages with four wheels, drawn by more than four horses, or with fewer wheels, by more than three horses. Owners of collieries may lay waggon-ways cross the road, and repair the same. Justices to determine the statute-work to be done on the road. Persons aggrieved may appeal to the quarter-sessions. Trustees may lessen the tolls. Justices may appoint persons to inspect the road, who shall enquire of the application of the tolls, and certify

tify any mifapplication. On death, &c. of trustees others to be choſen. Road to be meafured, and mile-ftones erected. Tolls to continue, until otherwife provided by parliament.

## CAP. XXVI.

An act for cleaning and enlightening the open places, ſtreets, and other paſſages; and regulating the nightly watch and bedels in the pariſh of Saint Matthew Bethnal Green, in the county of Middleſex.

## CAP. XXVII.

An act to enable the preſent and future proprietors and inhabitants of the houſes in Golden Square, in the pariſh of Saint James, Weſtminſter, in the county of Middleſex, to make and levy a rate on themſelves, for raiſing money ſufficient for the better incloſing, paving, enlightening, and adorning of the ſaid ſquare; and ſupporting and keeping of the ſame in repair for the future.

## CAP. XXVIII.

An act for repairing the road from the top of Crickley Hill in the county of Glouceſter, to Frogg-Mill, through the towns of Northleach, Burford and Witney, and pariſhes of Hanborough and Bladen, to Campſfield, in the pariſh of Kidlington, in the county of Oxford; and alſo the road from Witney, through Enſham, Cumner and Botley, to the city of Oxford. *Certain tolls granted for 21 years.*

## CAP. XXIX.

An act for repairing the road leading from the town of Ludlow in the county of Salop, through Woofferton and Little Hereford, to a place called Monks Bridge in the ſaid county; and alſo from the ſaid town of Ludlow, to a place or houſe called the Maidenhead at Orleton in the county of Hereford. *Certain tolls granted for 21 years.*

## CAP. XXX.

An act for repairing the high roads leading from Darlington in the county of Durham to Weſt Auckland, and ſeveral other roads in the ſaid county therein mentioned. *Certain tolls granted for 21 years.*

## CAP. XXXI.

*An act for explaining, amending and enforcing an act paſſed in the thirteenth year of his late Maſeſty's reign, intituled, An act for the better regulation of the linen and hempen manufactures in that part of Great Britain called Scotland; and for further regulating and encouraging the ſaid manufactures.*

3 Geo. I. c. 26. **W**HEREAS by an act paſſed in the thirteenth year of the reign of his late maſeſty King George the Firſt, (intituled, An act for the better regulation of the linen and hempen manufactures in that part of Great Britain called Scotland) certain rules and regulations were eſtabliſhed for encouraging and improving of the ſaid manufactures, and for preventing of frauds and abuſes in the ſame: and whereas the ſaid rules and regulations have been found uſeful and beneficial, and have been a means of improving the ſaid manufactures, which might be ſtill brought to greater perfection, and be further extended, if ſome parts of the ſaid act were explained, amended and enforced, and further regulations eſtabliſhed: may it therefore pleaſe your Maſeſty that it may be enacted; and be  
it

enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all and every person and persons who shall import, or cause to be imported, into any port or place in Scotland, any bad, mixed or damnified lintseed or hempseed, or any lintseed or hempseed which shall not be thoroughly cleaned, or any lintseed commonly called or known by the name of *Short Lintseed*, he and they shall, for every such offence, forfeit such lintseed or hempseed, and shall also be subject and liable to a penalty, not exceeding three pounds sterling for every hoghead of such seed; and so in proportion for any less quantity.

Importers of  
bad lintseed or  
hempseed, or  
short lintseed.

forfeit 3l. per  
hoghead.

II. Provided always, and it is hereby enacted, That if all or any of such damnified lintseed or hempseed shall be only damaged, in the conveyance by sea, the importer or importers, proprietor or proprietors thereof, shall not be liable or subject to the said forfeiture or penalty: in case he or they shall immediately, upon the landing of such seed, produce sufficient proof before some justice of the peace, or other magistrate, that such damage was occasioned as aforesaid, and give sufficient security as soon as may be unto the trustees appointed, or to be appointed, in pursuance of the said act of the thirteenth year of his late Majesty's reign, that such seed shall not be sown, but shall be made into oil, or exported under the penalty of five pounds for every hoghead of such damnified seed; and so in proportion for any less quantity.

Upon proof of  
the lintseed  
being dam-  
nified by sea,  
importer not  
to forfeit;

giving securi-  
ty for its be-  
ing exported  
or made into  
oil.

III. Provided also, and be it enacted, That if any lintseed or hempseed of the growth of Scotland shall be bad, short, damnified or otherwise improper and unfit for sowing, the proprietor or proprietors thereof shall not be subject or liable to any penalty or forfeiture inflicted by the said former act, for the selling or exposing to sale any bad or damnified lintseed or hempseed, in case he shall, before he shall sell such seed, or expose the same to sale, give sufficient security to the said trustees, that such seed shall not be sown, but made into oil, or exported, under the penalty of five pounds for every hoghead of such seed, and so in proportion for any less quantity.

Proprietor of  
short or bad,  
&c. lintseed,  
&c. of the  
growth of  
Scotland,

to give securi-  
ty that the  
same shall be  
exported, or  
made into oil.

IV. And whereas a doubt hath arisen with relation to the exact measure by which all lintseed and hempseed is by the said act directed to be sold; be it enacted, That all lintseed and hempseed shall be sold by the *Linlithgow Barley Measure* streaked, and that all such measures shall be first marked and stamped by the dean of guild of some royal borough, with the usual mark of such borough, and also with these words *Linlithgow Barley Measure*; and if any person shall vend or sell any lintseed or hempseed by any measure that shall not be marked and stamped, in manner as aforesaid, such person shall forfeit for every such offence such measure, and also the sum of forty shillings sterling.

Lintseed, &c.  
to be sold by  
the Linlith-  
gow barley  
measure  
streaked, &c.

V. And be it further enacted by the authority aforesaid, That all and every person and persons who shall sell and deliver to any one buyer, at one time, ten pecks, or any larger quantity of

Persons selling  
to any ten pecks, to  
one buyer, to

give a certificate of the quantity, price, and growth, &c.

lintseed or hempseed, without delivering therewith a certificate subscribed by such person or persons, expressing the quantity and price of the seed, and if the same shall be of foreign production, the port from whence the same was imported, and the name of the country where it grew, and the year of its growth; and if such seed shall be of the produce of *Britain*, the year of its growth, and the name of the county where it grew; such person or persons shall forfeit a sum not exceeding five pounds, nor less than fifty shillings sterling, for every hoghead of such seed; and so proportionably for any less quantity.

Officers may enter warehouses for keeping lintseed, &c.

VI. And be it further enacted, That all stamp-masters, riding-officers, surveyors or other officers, acting under the directions and authority of the said trustees, may, with their assistants at all time by day, enter into any warehouse, or other place made use of for keeping lintseed or hempseed, and into any place where they shall have reason to suspect that lintseed or hempseed is kept, and may inspect and survey all lintseed and hempseed which shall be found in such places, and shall and may seize

and seize what shall be found bad, &c.

and carry off, or otherwise secure, all bad, short, damaged, or mixt lintseed or hempseed, and such as shall not be clean and good, and detain the same until it shall be legally tried, whether such lintseed or hempseed is by the said former or this present act prohibited to be imported or sold, or exposed to sale, or to be sown; and in case it shall be adjudged, that such seed is prohibited to be imported, sold or exposed to sale, the same shall be forfeited, and the proprietor or proprietors thereof shall be subject and liable to a penalty not exceeding three pounds sterling for every hoghead of such seed, and so in proportion for any less quantity; and in case it shall be adjudged that the seed so seized is prohibited to be sown, and the proprietor or proprietors thereof shall not make it appear that sufficient security hath been given to the said trustees, in manner as aforesaid, for the exporting or making of such seed into oil, or that application hath been made, and sufficient security tendered to the said trustees for that purpose, such seed shall be also forfeited, and the proprietor or proprietors thereof subject and liable to the penalty aforesaid.

Penalty if the seed shall be adjudged to be prohibited, &c.

Seed seized not to be delivered, until the security.

VII. Provided always, That in all cases where it shall be proved, that application hath been only made for giving sufficient security as aforesaid, such seed so seized and detained shall not be delivered to the proprietor or proprietors thereof, until such security shall be actually entered into, and executed to the satisfaction of the said trustees.

Hemp and flax to be sold, 6lb. to the stone.

VIII. And be it further enacted by the authority aforesaid, That all and every person and persons who shall sell or dispose of any hemp or flax, by any other weight than *the stone*, consisting of sixteen pounds weight *averdupois*: and also all flax raisers and hecklers who shall not affix their names and places of abode, upon every mat or quantity of flax by then sold, shall respectively for each and every such offence, forfeit a sum not exceeding five pounds sterling.

Flax raisers and hecklers to affix their names upon every mat.

IX. And

X. And be it further enacted by the authority aforesaid, Penalty of selling flax or hemp, of different quality in the same mat.  
That every person who shall sell or expose to sale, in one and the same mat or other package, flax or hem of different quality or fineness, shall forfeit a sum not exceeding five pounds sterling for every such mat or other package.

X. Provided always, That the said penalty shall not extend to any person selling a ton or any larger quantity of hemp or flax to any one person at one time. Exception.

XI. And be it further enacted by the authority aforesaid, Plain linen may be made with flaxen and tow yarn mixed. Penalty if the warp be not of the same fineness throughout, as also the woof.  
That it shall and may be lawful to work up and manufacture plain linen cloth, with flaxen and tow yarn mixed, by making the woof of such cloth of one of the said yarns, and the warp of the other; but that the yarn which shall be used for the warp, shall be of the same quality and fineness throughout such warp, and that the yarn which shall be used for the woof, shall be of the same quality and fineness throughout such woof, under the penalty of a sum not exceeding forty shillings, nor less than ten shillings sterling, to be paid by the weaver; any thing in the said former act, or this present act, to the contrary notwithstanding.

XII. And be it further enacted by the authority aforesaid, Yarns of different sorts, &c. may be used in manufacturing striped, &c. linens, &c.  
That it shall and may be lawful to make use of yarns of different sorts, qualities and fineness, in the working up and manufacturing of striped, chequered and flowered linens, but so that each sort of such yarn shall be of equal quality and fineness, throughout each piece of such striped, chequered or flowered linens, under the penalty of a sum not exceeding forty shillings, nor less than ten shillings sterling, to be paid by the weaver; any thing in the said former act, or this present act, contained to the contrary notwithstanding.

XIII. And be it further enacted by the authority aforesaid, Penalty of selling or buying reels not of the dimensions prescribed;  
That all and every person and person who shall make, sell or expose to sale, or shall buy one or more reel or reels, which shall not be of the standard and dimensions prescribed by the said former act, shall over and above the forfeiting of such reel or reels, forfeit a sum not exceeding forty shillings, nor less than ten shillings sterling, for every such reel; and that all and every person or persons who shall be convicted of false reeling and making up yarn, or exposing to sale, selling or buying yarn of the produce of *Scotland*, knowing the same to be reeled or made up contrary to the directions of the said act, shall, over and above the forfeiting of such yarn, forfeit a sum not exceeding ten nor less than two shillings sterling, for every spindle thereof and so proportionally for any less quantity. or false yarn of the produce of Scotland,

XIV. Provided always, and be it enacted, That it shall and may be lawful to import, sell, and expose to sale, any foreign yarn shall not be reeled and made up, according to the said act or this act, any thing in the said former act, or this present act, to the contrary notwithstanding. Foreign yarn excepted.  
Further enacted by the authority aforesaid, Maker of heckles, &c.  
heckles, wheels, reels, weaving-ooms and



to affix his  
name, &c.

and weaving-reeds, shall mark or cause to be marked, with an iron brand, or some other proper instrument, in legible and durable characters, on every heckle, wheel, reel, weaving loom and weaving-reed by him made, his christian name, surname and place of residence, as also upon each reed, the hundreds of such reed, under the penalty of forfeiting all such heckles, wheels, reels, weaving-loom and weaving-reeds; and also of a sum not exceeding twenty nor less than ten shillings sterling, for each of the said particulars.

Bleachers of  
linen.

and masters of  
lapping-prefs,  
to give  
security.

XVI. And be it further enacted by the authority aforesaid, That all persons who shall practise the trade of whitening or bleaching of linen cloth in the piece, so as to bleach or whiten a quantity of cloth, which shall be of the value of five hundred pounds sterling, in the course of one year; and also all persons who shall keep any publick lapping-prefs or lapping-house, shall respectively first give sufficient security to the said trustees, to the extent of one hundred pounds sterling for every such bleacher, and of fifty pounds sterling for every keeper or master of such publick lapping-prefs and lapping-house, for their faithful performance of the said trades; and also for making good any damage which may arise to their respective employers, by any neglect or want of skill in the exercise of either of such trades; and the said trustees are hereby required, upon their acceptance of such respective securities, to grant licences under their hands and seals to such persons, empowering them to exercise the said respective trades; and that no fee, reward or gratuity whatsoever, shall be demanded or taken, for or upon account of giving any such security, or of granting such licence: and that if any person or persons shall without such licence bleach or whiten a quantity of cloth, which shall be of the value of five hundred pound sterling, in the course of one year, or shall keep and use any publick lapping-prefs or lapping-house, such person or persons shall respectively forfeit, *videlicet*; such bleacher or whitener, the sum of one hundred pounds sterling; and such master and keeper of a publick lapping-prefs or lapping-house, the sum of fifty pounds sterling, for every year they shall carry on such respective trades without such licence.

Penalty on  
unlicensed  
bleachers, &c.

Licensed  
bleachers to  
mark their  
names, &c. on  
every piece.

XVII. And be it further enacted by the authority aforesaid, That all such licensed bleachers shall mark or stamp, or cause to be marked or stamped, in legible letters on each end of every piece of cloth by them bleached or whitened, their names and places of abode, with the addition of bleacher, under the penalty of a sum not exceeding twenty shillings for every piece of cloth which shall not be so marked.

Penalty of  
lapping up  
cloth for sale,  
wet, &c.

or not stamp-  
ed.

XVIII. And be it further enacted, That if any person or persons shall fold or lap up any cloth for sale, when wet, or with any chalk, dust, flour or other material, which may be prejudicial to the fabrick or quality of such cloth, or shall lap up any piece of cloth for sale which is not duly pressed in manner prescribed by the said former act or this present act, he or they shall for every such offence, forfeit a sum not exceeding

fort, shillings, nor less than ten shillings sterling, for every such piece of cloth.

XIX. Provided always, and it is hereby enacted, That in all cases where cloth shall through unavoidable accidents be damaged in the weaving or bleaching, by holes or rents made in the same, or not be of equal quality, fabrick and goodness throughout the piece, in such manner as the same is directed to be made, by the said former act or this present act, the stamp-master, or stamp-masters appointed or to be appointed by the said trustees, may cut such damaged or insufficient cloth into such pieces as he or they shall find to be sufficient and free of holes and rents, and affix his stamps to such cuttings, in the same form and manner as by the said act is directed, with regard to whole pieces, returning the damaged or insufficient cuttings to the owners for their use; but that if the said stamp-master or stamp-masters shall not be satisfied that the cloth received such damage, or was rendered insufficient, through unavoidable accidents as aforesaid, and shall have reason to believe that the same was occasioned by the negligence or ignorance of the weaver or bleacher, and that the cloth was presented to be stamped with a fraudulent intention to deceive the buyer, he shall and may seize and detain the same; and if upon trial to be had thereupon, it shall appear that such damage or insufficiency was occasioned by the negligence or ignorance of the weaver or bleacher of such cloth, and not by unavoidable accident, it shall be condemned and forfeited in such manner as is prescribed by the aforesaid act of his late Majesty, with respect to all insufficient and unmerchantable cloth which shall be offered to be stamped.

Stamp-masters to cut cloths damaged by accident,

and stamp the same.

Cloth damaged by negligence of bleacher or weaver, and presented to be stamped, to be seized,

and forfeited.

XX. And be it further enacted by the authority aforesaid, That when any unstamped cloth or unstatutable yarn shall be seized in pursuance of the powers contained in the said act, and it shall be alledged that such cloth or yarn is of foreign manufacture, the *Onus Probandi* shall lie upon the owner of such cloth or yarn, that the same was fairly imported from the place where it shall be alledged to have been manufactured, or from the next adjacent port, and that the duties for the same have been paid; and if the owner of such cloth or yarn shall fail in such proof, the cloth or yarn so seized shall be deemed and taken to be of the manufacture of Scotland, and be forfeited; and all linen cloth of the manufacture of Ireland, imported into, or exposed to sale in Scotland, which shall not have the seals or stamps of some stamp-master appointed by the trustees for the linen manufacture in Ireland, affixed thereon, shall be forfeited, and shall be seized and tried in the same manner as is directed by the said act; with regard to such linen of the manufacture of Scotland as is exposed to sale without being stamped.

If cloth or yarn, be seized, the proof of its being of foreign manufacture to lie on the owner, &c.

Irish cloth unstamped to be forfeited.

XXI. And be it further enacted by the authority aforesaid, That every maker and cutter of stamps or seals of any kind for stamping of cloth, shall upon some proper part of every stamp or seal by him made, mark his name and place of abode, and shall

Makers of stamps to mark their names there-

shall

on, and take  
an impreſſion  
in a book, &c.

shall take an impreſſion of every ſuch ſeal or ſtamp in a book to be kept for that purpoſe, and ſhall enter in ſuch book, the name and designation of the perſon by whom he was employed, and to what perſon and at what time ſuch ſeal or ſtamp was delivered under the penalty of fifty pounds ſterling for each of the ſaid offences.

Penalty of  
counterfeiting  
ſtamps.

XXII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall counterfeit any ſeal or ſtamp made in purſuance of this act, or any ſeal, or ſtamp of any ſtamp-maſter appointed by the truſtees for the linen manufacture in *Ireland*, he, ſhe or they ſo counterfeiting the ſame, and being thereof lawfully convicted before the court of juſtiſiary at *Edinburgh*, or in the circuits, ſhall ſuffer and incur the ſame pains and penalties as perſons by the law of *Scotland*, convicted of forgery.

Makers of  
heckles, and  
weavers, free  
to exerciſe  
their trades  
in any city, &c.

XXIII. And be it further enacted by the authority aforeſaid, That every maker of heckles, ſpinning-wheels, reels, weaving-looms and weaving-reeds, and alſo every weaver or manufacturer of linen, flaxen or hempen cloth, or heckler or dreſſer of flax or hemp, ſhall and may, and is hereby authorized to exerciſe the ſaid reſpective trades, within any city, town, corporation, burgh or place in *Scotland*, without any lett or hindrance from any perſon or perſons whatſoever, and without being chargeable or charged with payment of any entry-money or other duty whatſoever, for or in reſpect of their following ſuch trade or buſineſs.

Penalty of ob-  
ſtructing offi-  
cers.

XXIV. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall by force or violence obſtruct, hinder or impede any officer appointed or to be appointed by the ſaid truſtees in the due execution of his duty, under the penalty of forfeiting a ſum not exceeding fifty pounds, nor leſs than five pounds ſterling, for every ſuch offence.

Offences how  
to be tried.

XXV. And it is hereby enacted, That all offences againſt this act (except only as to the counterfeiting of ſeals or ſtamps) ſhall and may be heard and determined by the juſtices of peace or magiſtrates of any burgh, or any one of them, within their reſpective jurisdictions, after the ſame form and manner, and with the ſame powers as are preſcribed and mentioned in the aforeſaid act, with regard to offences committed againſt that act, and that all offences againſt this and the aforeſaid act, (except as aforeſaid) ſhall and may be alſo heard and finally determined by any of his Majeſty's ſheriff or ſtewart deputies, or their ſubſtitutes, ſubject only to an appeal to the lords of juſtiſiary or their circuit courts.

Penalties to be  
paid to the  
proſecutor.

XXVI. And it is hereby declared, That all penalties or forfeitures which ſhall be incurred for all the offences againſt this act, ſhall be paid and delivered to the informer or proſecutor, and be adjudged to be payable and deliverable to him.

Limitation of  
actions.

XXVII. Provided always, That all actions ſhall be commenced for offences againſt this act, and the ſaid forfeitures and penalties to be commenced for the ſame ſhall ceaſe and are hereby diſcharged from and after the expiration of eight

all months from the commencement of the suit; and if any appeal, either from the magistrates or justices of the peace to the quarter sessions, or from the sheriff or steward deputies, or their substitutes, to the circuit court, shall not be determined at the expiration of eight months from the commencement of the action, the sentence appealed from shall take place, and be put in execution, as if no appeal had been entered against the said sentence.

XXVIII. And it is hereby enacted and declared by the authority aforesaid, That all sheriff and steward deputies, sheriff and steward substitutes, justices of peace, and magistrates of burghs, shall interpret and put this act, and the said former act in execution, in the most beneficial manner for promoting the linen and hempen manufactures; and if any of the said sheriffs or stewards, justices or magistrates, shall wilfully neglect or refuse to execute the powers and authorities committed to them by this and the said former act, so as that such neglect or refusal shall tend to the discouragement or detriment of the said manufactures, such neglect or refusal shall be and be taken to be a point of dittay, and the person or persons so offending may be prosecuted before and punished by the lords of justiciary, in manner prescribed by the said former act.

Act to be interpreted in the most beneficial manner.

Penalty on magistrates refusing to execute the powers.

XXIX. And be it further enacted by the authority aforesaid, That the comptroller of the customs in *Scotland*, or his deputy, shall, without fee or reward, in the month of *December* yearly, on demand, deliver in to the said trustees an account for the year ending at *Midsummer* preceding, of all flax-seed and hemp-seed, and of all flax and hemp, and also of all pot-ashes, and all linen, flaxen or hempen yarn, and linen cloth, imported into *Scotland*, distinguishing the several ports from whence, and at which the same were imported; as also an account of all flax and hemp, and of all linen, flaxen or hempen yarn, and also of all pot-ashes shipped in and exported from *Scotland*, distinguishing the several ports from and to which the same shall be shipped, and of all linen cloth shipped in and exported from *Scotland*, distinguishing the several ports from and to which the same shall be shipped and exported, and distinguishing the several bounties paid upon the exportation of such cloth.

Comptroller of the customs to deliver a yearly account to the trustees of all flax, cloth, pot-ashes, &c. imported and exported.

XXX. And be it further enacted by the authority aforesaid, That all contracts, securities and agreements entered into and taken by authority of the said trustees for promoting of the said linen and hempen manufactures, or any particular branch thereof, may be entered into, and taken in the name of their secretary for the time being, and his successors in office, for the use of the fund established by the said act for encouraging the linen manufacture in *Scotland*; and all bonds obligations and other securities, for the faithful execution of any office, or for the performance of any other matter or thing relating to the said manufacture shall and may be taken in the name of the said secretary for the time being, and his successors in office, for the use of the said fund; and all diligences, suits, actions, and processes, may be issued and carried on in consequence of such contracts, securities, and agreements entered into by the trustees, bonds, &c. and suits, &c. to be in the name of the secretary.

Contracts, &c. entered into by the trustees,

Bonds, &c.

and suits, &c. to be in the name of the secretary.

contracts, securities and agreements, bonds and obligations, and prosecuted to a final issue, in the name and at the instance of the said secretary for the time being.

Commence-  
ment of the  
act.

XXXI. And be it further enacted, That this act, and all the authorities, powers, matters and things herein contained, shall commence and take place from the twenty fifth day of December one thousand seven hundred and fifty one.

#### C A P. XXXII.

An act for enlarging the term and powers granted by two acts of parliament. *For repairing the road from Wendover to the town of Buckingham in the county of Bucks; and also for repairing and widening the road leading from the west end of the said town of Wendover to the end of a lane called Oak-Lane, next the great road called The Oxford road, lying between the town of Beconsfield in the said county of Bucks, and Uxbridge in the county of Middlesex, and that part of the said great road which leads from the west end of the said town of Beconsfield to the river Colne near Uxbridge aforesaid. The acts 7 Geo. 1. c. 24. and 15 Geo. 2. c. 5 continued for 21 years.*

#### C A P. XXXIII.

An act for enlarging the term and powers granted by an act of parliament passed in the fourth year of his present Majesty's reign, for repairing the roads leading from the most southern part of Butt Lane, in the parish of Lawton in the county palatine of Chester, to Lawton; and from thence to Henshall's Smithy upon Cranage Green in the said county; and for making the said act more effectual. *The act 4 Geo. 2. c. 3. continued for 21 years.*

#### C A P. XXXIV.

*An act for the better preservation of the game in that part of Great Britain called Scotland.*

WHEREAS it is necessary that the laws now in force in Scotland, for regulating the times for killing the game, and for preventing the abuses of carriers, poachers and others carrying and selling the same, should be amended and made more effectual; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled and by the authority of the same, That no person in Scotland shall, upon any pretence whatsoever, kill or destroy any moor fowl, from the first day of January to the tenth day of July, nor any partridge or heath fowl, from the first day of February to the twentieth day of August in any year.

Moor fowl,  
partridge or  
heath fowl,  
not to be kill-  
ed out of sea-  
son.

Penalty on  
person not  
qualified to  
kill game,  
having any in  
his custody.

II. And be it further enacted by the authority of the same, That no person whatsoever, not qualified to kill land, shall have in his or her custody, or carry in the year, upon any pretence whatsoever, any other pheasants, muir fowl, heath fowl, snipes or quail, without leave or orders of a qualified person first obtained, nor such hares or other game, or for having the same in custody.

Penalty of  
transgressing  
this act.

III. And be it further enacted by the authority of the same, That every person transgressing this act, shall for a

1751.] Anno viceſimo quarto GEORGII II. C. 35,—37.

Forfeiture and pay the ſum of twenty ſhillings ſterling; and for the ſecond and every other ſubſequent offence, the ſum of forty ſhillings ſterling; which reſpective fines ſhall and may be levied by diſtreſs and ſale of the goods of the offender; and in caſe of inſolvency the party offending ſhall ſuffer imprifonment for the ſpace of fix weeks for the firſt offence, and for the ſpace of three months for the ſecond and every other ſubſequent offence.

IV. And be it further enacted by the authority aforeſaid, That all offences againſt this act ſhall and may be enquired into and determined, either by the oath or oaths of one or more credible witneſs or witneſſes, or by the confeſſion or oaths of the parties accuſed, before any two or more of his Maſteſty's juſtices of the peace, or before the ſheriff of the county where the offence ſhall be committed, or where the offender ſhall be found; and that all proſecutions for offences againſt this act ſhall be carried on either at the inſtance of the ſiſcal of court, or of any other perſon who will inform or complain.

Offences how-  
to be tried.

V. And be it further enacted by the authority aforeſaid, That one moiety of the forfeitures to be incurred for any offence againſt this act ſhall, when recovered, be paid to the informer or proſecutor, and the other moiety ſhall be applied for ſuch public ſervices within the county where the offence ſhall be committed, as the juſtices of the peace or the ſheriff reſpectively ſhall direct, before whom the offender ſhall be convicted.

Application of  
the forfeitures.

VI. Provided always, That any perſons aggrieved by the judgement of the ſaid juſtices or ſheriff reſpectively, ſhall have liberty to appeal to the next general or quarter ſeſſion, in caſe ſuch judgement was given by any juſtices of the peace as aforeſaid, or to the lords juſticiary in their next circuit court, or (where there are no circuit courts) to the court of juſticiary at *Edinburgh*, in caſe the judgement complained of was given by the ſheriff of any county; and that the determination of the ſaid general or quarter ſeſſion, or of the ſaid circuit court, ſhall be final and concluſive to all parties.

Perſons ag-  
grieved may  
appeal.

#### CAP. XXXV.

An act for repairing the high roads in the county of Edinburgh, to and from the city of Edinburgh; and from Cramond Bridge to the town of Green's Ferry in the county of Linlithgow. *A private act*, 12 Ann. ft. 2.

*Enacted and continued for 21 years.*

#### CAP. XXXVI.

An act for building a bridge over the river Ribble, between the townſhips of Preſton and Penwortham, near a place called the Fiſh-houſe, in the county palatine of Lancaſter.

## C A P. XXXVII.

*An act for dividing the parish of Saint Philip and Jacob in the county of Gloucester and in the city and county of Bristol; and for erecting a church in the new intended parish.*

**W**HEREAS the inhabitants of that part of the now or late forest or chase of Kingswood which lies in the parish of Saint Philip and Jacob in the county of Gloucester, within the diocese of Bristol, are very numerous, and at a great distance from the mother church in the city of Bristol, which said church is not large enough to contain all the inhabitants: and whereas it is now proposed, for the better accommodation of the said inhabitants, to erect a new church upon the said now or late forest or chase, to be consecrated and used for the publick worship of God, and the instruction of the inhabitants there in the christian religion, as it is now professed in the church of England, and established by the laws of this realm; and to promote so good a work, Thomas Chester, esquire, lord of the manor of that part of the said now or late forest or chase of Kingswood as lies in the said parish of Saint Philip and Jacob in the said county of Gloucester, hath proposed to grant a piece of ground commodiously situated in the centre of the new intended parish, for the site of a church and a church-yard, vicarage house and garden, and for other purposes relative to the design; and the right reverend the lord bishop of Durham (late of Bristol) for promoting so good a design, is disposed and ready to give the sum of four hundred pounds, towards the endowment of the new intended vicarage, for the maintenance of a minister or vicar, who shall reside in the vicarage house, and in order to obtain the like sum of four hundred pounds to be added thereto, by the governors of the bounty of Queen Anne, for the augmentation of the maintenance of the poor clergy, for the further augmentation of the maintenance of such minister or vicar of the said new intended parish: and whereas several charitable and well-disposed persons, to encourage so pious an undertaking, have contributed, and are ready to contribute, towards the erecting and finishing such church, and an house for the minister or vicar to reside in, and for the better endowing the same, in case there shall be an overplus: and whereas the mayor, burgessees and commonality of the city of Bristol, the vicarage of the said parish, church of Saint Philip and Jacob and the inhabitants of the said parish, are willing and desirous that a new church and house may be erected as aforesaid in the said parish, and that the said intended church may be appointed to rate the same from the said parish, and make it a distinct and separate rate parish: and whereas, for preventing the said parish from being divided and divided the same by commissioners, they the parishioners of the parish of Saint Philip and Jacob aforesaid have agreed among themselves on the district of land for the new intended church and parish, and settled the limits and bounds thereof, which district so limited and bounded, is, as herein after is mentioned and expressed, that is to say, from a bridge at the foot of Lawrence

Lawrence Bridge, along the lane southward called Barton Lane; thence in a direct line along the lane called Little Marsh Lane; thence along by a little stream of water, which runs from the lane called King's Pill; and thence along by the said King's Pill to the river Avon; and along up the side of the river Avon, to the utmost extent and boundaries of the old parish on that side thereof; from Saint Lawrence Bridge aforesaid, westward, to a lane called Dod Lane; along the lane, northward, to the bridge called Gane Bridge, in the road leading from Bristol towards Gloucester; from thence along the said road directly to Coomb Brook; and thence to the utmost extent and boundaries of the old parish, eastward, quite to the river Avon as aforesaid: and whereas, for the like purpose aforesaid, they the said inhabitants and parishioners have also agreed among themselves, that the piece of ground so proposed to be granted by the said Thomas Chester as aforesaid, and which contains, by estimation, two acres one rood and six perches (be it more or less) and is situated at or near a certain place called Don John's Cross; and is bounded on the east side by the road leading from Bristol to Bath; on the west, partly by Don John's Cross, and partly by a garden, now or late in the tenure of Thomas Marsh; on the north, by a road leading from Bristol to Marshfield; and on the south, partly by a lane or waste ground, and partly by a small inclosure, late in the tenure of John Curtis; shall be for the site of the new intended church, and the church-yard or cemetery, to be belonging to the said parish, and a vicarage house, with a garden or gardens, and conveniences for the habitation of the minister or vicar for the time being, of the same church; therefore, may it please your Majesty (at the humble petition of sundry of the inhabitants of that part of the parish of Saint Philip and Jacob, which is situated in the county of Gloucester and diocese of Bristol) that it may be enacted, &c.

Money for the augmentation of the vicarage to be paid, when the church is built and consecrated. The district before described, erected into a distinct parish. The church to be called by the name of Saint George. William Cary appointed vicar. Corporation declared patrons of the vicarage. Workhouse to be for the joint use of both parishes, &c. Power given to the vestry to make church rates, &c. The church, &c. to be under the jurisdiction of the archbishop of Canterbury, bishop of Bristol, and &c. Rights of the crown reserved.

### CAP. XXXVIII.

Any of two pennies Scots, or a sixth part of a penny for every pint of ale and beer which shall be brewed for sale or sold within the town of Greenock and barony of Greenock, and Finlart, and liberties thereof, for repairing the harbour of the said town, and for the purposes therein mentioned. A duty of excise granted.



## CAP. XXXIX.

*An act for the better regulating the navigation of the river Avon, running through the counties of Warwick, Worcester and Gloucester; and for ascertaining the rates of water-carriage upon the said river.*

WHEREAS the river Avon hath for many years past been made navigable from the river Severn, through part of the counties of Gloucester and Worcester, and beyond the borough of Stratford in the county of Warwick, for boats, barges, lighters and other vessels, for the better supplying the said several counties with pit coal, iron and other goods and commodities, for the publick good of the said counties, whereby the trade in those parts hath been very much enlarged and increased: and whereas frequent disputes have arisen between the owners and proprietors of the said navigation, and the persons navigating thereupon, touching the rates of tonnage of coal, and other goods and merchandise carried thereon; for remedy whereof, and for the ascertaining the rates of such tonnage for the future, and to the end and intent the said river Avon may for ever hereafter be continued and preserved navigable, for the encouragement of trade, and the benefit and advantage of the publick in general; and that the locks, weirs, bucks, winches, turnpikes, dams, floodgates and other engines, may for the future be kept in good and sufficient order and repair; and the rents and out-goings for lands cut away, and other rents, may be raised, and paid to the persons intitled to receive the same: may it please your Majesty that it may be enacted, &c.

River Avon declared to be a free river. Rates of tonnage to be paid for goods carried on the river. No publick wharf to be kept, for unloading goods for sale, between Everham and Harvington sluices. Royalties, &c. reserved. Owner answerable for damage done by his vessel. Rates to be paid by vessels passing through the sluice at Tewkesbury into the Severn, and through the sluice at Everham, and at every weir. Proprietors of the navigation to keep the river cleansed, &c. Justices to determine differences concerning the navigation, &c. in a summary way.

## CAP. XL.

*An act for granting to his Majesty an additional duty upon spirituous liquors, and upon licences for retailing the same; and for repealing the act of the twentieth year of his present Majesty's reign, intituled, An act for granting a duty to his Majesty to be paid by distillers upon licences to be taken out by them for retailing spirituous liquors; and for the more effectually restraining the retailing of distilled spirituous liquors; and for allowing a drawback upon the exportation of British made spirits; and that the parish of Saint Mary le Bon, in the county of Middlesex, shall be under the inspection of the head office of excise.*

WHEREAS the immoderate drinking of distilled spirituous liquors by persons of the meanest and lowest sort, hath of late years

to the great detriment of the health and morals of the people; and the same hath in great measure been owing to the number of persons who have obtained licences to retail the same, under pretence of being distillers, and of those who have presumed to retail the same without licence, more especially in the cities of London and Westminster, the borough of Southwark, and other places within the weekly bills of mortality, contrary to the good and wholesome laws heretofore made for preventing thereof: and where as your Majesty's dutiful and loyal subjects the commons of Great Britain in parliament assembled, ever attentive to the preservation and health of your Majesty's subjects, have taken this great evil into our serious consideration, and proposed such laws and provisions as appear to us to be most likely to put a stop to the same; but it may so happen, that in consequence of the necessary regulations for that purpose, there may accrue a failure or deficiency in the respective funds to which the duties charged upon spirituous liquors and distillers licences, were appropriated and applicable: now, for the more effectual restraining such abuses, and to the end that such failure or deficiency may be made good, and that the publick faith, so essential to the well-being of this kingdom, may be supported, we do most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of July, one thousand seven hundred and fifty one, there shall be raised, levied, collected and paid unto his Majesty, his heirs and successors, for the several kinds of spirituous liquors herein after mentioned, specified and enumerated (over and above all duties, charges and impositions by any former act or acts of parliament thereupon respectively set, rated and imposed) the several rates and duties of excise herein after-mentioned and expressed; that is to say,

Additional duties on spirituous liquors.

For every gallon of low wines, or spirits of the first extraction, made or drawn from any sort of drink or wash, brewed or made from any sort of malt or corn, or from brewers wash or tilts, or any mixture with such brewers wash or tilts, to be paid by the distillers or makers thereof, three halfpence.

For every gallon of strong waters, or *Aqua Vitæ*, made for sale of the materials aforesaid, or any of them, to be paid by the distillers or makers thereof, four pence halfpenny.

For every gallon of low wines, or spirits of the first extraction, made or drawn from cyder, or any sort or kind of *British* material, except those before-mentioned, or any mixture thereof, to be paid by the distillers or makers thereof, one penny three farthings.

For every gallon of spirits made for sale from cyder, or any sort or kind of *British* materials, except those before-mentioned, to be paid by the distillers or makers thereof, three pence halfpenny.

Duties in  
England to be  
under the ma-  
nagement of  
the commissi-  
oners of excise  
in England,

and those in  
Scotland, un-  
der like offi-  
cers there.

Monies arising  
by the duties  
to be paid into  
the exchequer,  
distinct from  
other branches  
of the revenue.

II. And, for the better ascertaining, charging, collect-  
ing, raising, levying and securing the rates and duties by this act im-  
posed on the said spirituous liquors, and preventing frauds  
therein, be it further enacted by the authority aforesaid, That  
such of the said rates and duties by this act imposed, as are  
charged upon spirituous liquors made, extracted and manufac-  
tured in, or imported into *England, Wales* or the town of *Ber-  
wick upon Tweed*, shall be under the receipt and management of  
the commissioners and officers of his Majesty's revenues of excise  
in *England* for the time being, and such of the said rates and duties  
as are imposed by this act upon spirituous liquors, made, extracted  
and manufactured in, or imported into *Scotland*, shall be under  
the receipt and management of the commissioners and officers  
of excise in *Scotland* for the time being; and the said respective com-  
missioners of excise, or the major part of them, have hereby power,  
by commission under their respective hands and seals, to consti-  
tute and appoint under them such officers as shall be necessary  
in that behalf; and all monies arising by the said duties in *Great  
Britain*, or any part thereof (the necessary charges of raising and  
accounting for the same excepted) shall, from time to time, be  
paid into the receipt of his Majesty's exchequer at *Westminster*,  
distinctly and apart from all other branches of the publick re-  
venues, subject and liable to the same uses and purposes respec-  
tively as the present duties on spirituous liquors and licences are  
now liable and appropriated unto.

20 G. 2, c. 39.

III. And whereas by an act of parliament made and passed in the  
twentieth year of his Majesty's reign, (intituled, An act for  
granting a duty to his Majesty to be paid by distillers upon li-  
cences taken out by them for retailing spirituous liquors) it is  
enacted, That from and after the twenty fourth day of June one  
thousand seven hundred and forty seven, it should be lawful to and  
for the several distillers within the cities of *London* and *Westminster*,  
borough of *Southwark*, or weekly bills of mortality, to take out li-  
cences from his Majesty's commissioners of excise for retailing spirituo-  
us liquors; and the said commissioners were thereby authorized and  
required to grant such licences to every distiller and distillers within  
the limits aforesaid, who should apply for the same, upon payment of  
five pounds for every such licence, which were to be renewed  
yearly, upon payment of the like sum of five pounds, under certain  
restrictions in the said recited act mentioned: and whereas the per-  
mitting distillers to take out licences for the retailing spirituous liquors,  
has greatly tended to increase the drinking of spirituous liquors, many  
of whom have wilfully permitted and suffered the same to be tippled  
and drank in their shops, contrary to the direction of the said act of  
the twentieth year of his present Majesty's reign; be it therefore  
enacted by the authority aforesaid, That from and after the  
twenty fourth day of June one thousand seven hundred and fifty  
one, the duty of five pounds payable by every distiller for a li-  
cence to sell spirituous liquors by retail, shall cease, determine  
and be no longer paid; and that no distiller shall have a licence,  
or be permitted to sell any spirituous liquors, mixed or unmixed,  
with

The duty of  
5l. payable by  
distillers for  
licences to re-  
tail, repealed.

... ingredients, by retail, after the said twenty fourth day  
one thousand seven hundred and fifty one.

Provided always, That nothing herein contained shall <sup>Penalties of</sup>  
or be construed to extend, to repeal or vacate the sever- <sup>the said act, to</sup>  
duties and forfeitures imposed by the said act of the twen- <sup>be still in force.</sup>  
year of his said present Majesty's reign.

And be it further enacted by the authority aforesaid,  
That in lieu and stead of the said duty of five pounds, granted <sup>After 25</sup>  
and directed to be raised by the said act made in the twentieth <sup>March 1752,</sup>  
year of his said present Majesty's reign, and which is hereby re- <sup>an additional</sup>  
pealed as aforesaid, there shall, from and after the twenty fifth <sup>duty of 20s. to</sup>  
day of *March* one thousand seven hundred and fifty two, be <sup>be laid on li-</sup>  
raised, levied, collected and paid unto his Majesty, his heirs <sup>centences to re-</sup>  
and successors, an additional duty of twenty shillings *per annum* <sup>tail spirituous</sup>  
for every licence that shall be taken out by any person or per- <sup>liquors.</sup>  
sons for the retailing spirituous liquors, pursuant to the direc-  
tions of the act of parliament made in the sixteenth year of his  
present Majesty's reign (intituled, *An act for repealing certain du-*  
*ties on spirituous liquors, and on licences for retailing the same; and*  
*for laying other duties on spirituous liquors, and on licences to retail*  
*the said liquors*) and of this act, or either of them; which said  
additional duty of twenty shillings shall from time to time be  
paid down in like manner, and at the same time, and be raised,  
levied, collected and paid by the same means and methods, and  
under the like penalties, as the duty upon licences to be grant-  
ed by virtue of the said act made in the sixteenth year of his pre-  
sent Majesty's reign, is directed to be raised, levied, collected  
and paid.

16 Geo. 2. c. 8.

VI. And be it further enacted by the authority aforesaid, <sup>Powers, &c.</sup>  
That all and every the powers, authorities, directions, rules, <sup>given by any</sup>  
methods, penalties and forfeitures, clauses, matters and things <sup>law of excise,</sup>  
which in and by an act made in the twelfth year of the reign of <sup>to be in force</sup>  
King Charles the Second (intituled, *An act for taking away the*  
*court of wards and liveries, and tenures in Capite, and by knights*  
*service, and purveyance, and for settling a revenue upon his Maje-*  
*sty in lieu thereof*) or by any other law now in force relating to <sup>with regard to</sup>  
his Majesty's revenue of excise upon beer, ale or other liquors <sup>these duties.</sup>  
are provided, settled or established, for securing, enforcing,  
managing, raising, levying, collecting, mitigating or recovering,  
adjudging, ascertaining the duties or penalties thereby granted,  
venting, detecting and punishing frauds relating  
(otherwise altered by this act) shall be exercised,  
applied, used, imposed, levied, recovered and put in  
for the securing, enforcing, managing, raising, le-  
vying, mitigating, adjudging, ascertaining, reco-  
vering the duties and penalties hereby granted, and  
for detecting and punishing frauds relating thereto,  
respectually to all intents and purposes, as if all and  
every the powers, authorities, rules, directions, methods,  
penalties, forfeitures, clauses, matters and things were par-  
liamented, and again enacted in the body of this present

16 Geo. 2. c. 8.

VII. And whereas by an act made in the sixteenth year of his Majesty's reign, it is enacted, That no licence shall be granted to any person or persons whatsoever for selling by retail any spirituous liquors or strong waters whatsoever, except to such persons only who shall keep taverns, victualling-houses, inns, coffee-houses or ale-houses; and that if any such licences shall be granted to any other persons than as aforesaid, the same are thereby declared void to all intents and purposes: and it is thereby also enacted, That if any person or persons shall presume or offer to retail any of the said spirituous liquors, without taking out such licence as is therein mentioned, and renewing the same yearly, in manner therein mentioned, he, she or they shall respectively forfeit and lose the sum of ten pounds for each offence; and in case such person or persons shall refuse or neglect to pay the said sum of ten pounds, the same being lawfully demanded, it shall and may be lawful for any one or more justice or justices of the peace of any county, riding, division, city or liberty, upon information upon oath being made before him or them, of such refusal or neglect, by warrant under his or their hand and seal, or hands and seals, to commit such person or persons to the house of correction for the county, riding, division, city or liberty wherein such person or persons shall reside, there to remain and be kept to hard labour for the space of two months, to be reckoned from the day of the said commitment; and the person or persons shall not be discharged, until, he, she or they shall have paid the said sum of ten pounds, or until the full expiration of the said two months; and that nothing in the said act shall extend, or be construed to enable any person or persons to sell any spirituous liquors or strong waters by retail, unless such person or persons be first licensed to sell ale or spirituous liquors, by two or more of his Majesty's justices of the peace for the county, riding, division, city or liberty wherein such person or persons shall sell the said liquors, under the hands and seals of the said justices: and whereas by one other act made in the seventeenth year of his Majesty's reign, it is enacted, That in case where a licence shall have been granted for retailing spirituous liquors, to any person who shall, at the time of granting such licence, keep a tavern, victualling-house, inn, coffee-house or ale-house, if such person so licensed, shall afterwards, during the time of continuing such licence, exercise the trade of a distiller, grocer or chandler, or keep a brandy shop or shops for sale of any spirituous liquors, the licence granted in every such case shall be void; and such persons retailing spirituous liquors afterwards shall forfeit ten pounds for every such offence, notwithstanding such licence so obtained as aforesaid; and that no licence for retailing spirituous liquors shall authorize and empower any person, to whom the same may be granted, to sell such spirituous liquors in any other place, except in such houses or places thereunto belonging, wherein he, she or they shall inhabit and dwell, at the time of granting such licence: and whereas it may be doubted, whether the said penalty of ten pounds can be recovered within the limits of the said office of excise in London, before a justice or justices of peace, be it hereby declared

17 Geo. 2. c. 17.

and enacted, That the said ten pounds penalty may be recovered; and any person retailing distilled spirituous liquors without a licence, within the limits of the said head office, may be

The penalty of  
ten pounds on un-  
licensed retail-  
ers, may be  
recovered be-

con-

convicted before any juſtice of the peace for the city, county or fore any ju-  
liberty where the offence hath been or ſhall be committed, as ſtice.  
well as before the commiſſioners of exciſe; and that ſuch penal- Penalty not  
ty ſhall not in any caſe, either by the ſaid commiſſioners or ju- to be reduced  
ſtices of the ſaid county, be mitigated or reduced below the ſum of below 5l.  
five pounds.

VIII. And for the further reſtriction of ſuch licences, and None to be li-  
the granting thereof, be it enacted by the authority aforeſaid, cenſed to re-  
That no licence for the ſelling by retail of ſpirituſous liquors tail, but ſuch  
ſhall be granted, within the limits of the head office of exciſe in as pay to  
London, but to ſuch as ſhall occupy a tenement or tenements of church and  
the yearly value of ten pounds or upwards, and for which they poor.  
ſhall accordingly be rated and pay in the pariſh rates; nor to any  
perſon in any other part of the kingdom, where there are rates  
to church and poor, but to ſuch as ſhall be aſſeſſed and pay to  
the church and poor in the ſeveral pariſhes and places in which  
they ſhall be reſpectively licenſed; and that no licence ſhall be  
of any avail to any perſon not ſo qualified, or for any longer  
time than the perſon ſo licenſed ſhall be qualified as aforeſaid,  
but ſhall be abſolutely void.

IX. And be it enacted by the authority aforeſaid, That if any Penalty on  
perſon not authorized by law, ſhall retail any ſpirituſous liquors, unlicenſed re-  
ſuch perſon ſhall not only be ſubject to the penalties now in being tailers, for the  
for ſuch offence of retailing ſpirituſous liquors without licence, but fiſt offence;  
all the diſtilled ſpirituſous liquors that ſhall then, or at any time or  
times afterwards, within fix calendar months after conviction  
for ſuch offence, be found in the cuſtody of ſuch offender or in  
the houſe, lodgings, ſhop or warehouse where ſuch offence ſhall  
be committed, or any court, yard, ground or place occupied  
therewith, whether then in the occupation of ſuch offender or  
not, or in the occupation of any other perſon whomſoever, ſhall  
and may be ſeized, by warrant of the ſaid commiſſioners, or of  
any juſtice or juſtices of the peace, within their reſpective ju-  
riſdictions; and the ſame ſhall, by virtue of ſuch warrant, forth-  
with, on finding the ſame, be ſtaved or otherwiſe deſtroyed; for  
which purpoſe any peace or pariſh officer, authorized by ſuch  
warrant as aforeſaid, ſhall have power at any time within the  
ſpace of fix months after conviction as aforeſaid, to enter ſuch  
places and break open doors, if not opened on demand; and if Penalty of a  
any perſon who hath been or hereafter ſhall be convicted of any ſecond offence;  
ſuch offence, ſhall, after ſuch conviction, again offend in like  
manner, and ſhall thereof be lawfully convicted as aforeſaid,  
then it ſhall and may be lawful to and for the commiſſioners or  
juſtices reſpectively, before whom ſuch offender ſhall be con-  
victed of ſuch ſubſequent offence, as well to inflict the penalties  
by any former law to be inflicted for ſuch offence, as alſo to  
commit ſuch offender to the houſe of correction, there to be  
kept to hard labour, for any time not exceeding three months,  
and alſo (if they ſhall think fit) to order ſuch offender to be  
whipt, and in caſe any perſon who ſhall have been convicted of third offence  
ſuch ſubſequent offence as aforeſaid, ſhall offend again in like felony,  
manner,

and the offender to be transported.

manner, such further offence shall be deemed felony; and the offender being indicted, and lawfully convicted thereof, shall suffer as in cases of felony, and may, by the justices of the peace of the county or place where such felony shall be committed, at their general or quarter sessions (who are hereby empowered to hear and determine such felony) be ordered, or be transported to any of his Majesty's plantations, for any time not exceeding seven years.

Commissioners of excise, and justices, may grant warrants for offences.

X. And for the better discovery and punishment of such offenders as aforesaid, be it enacted by the authority aforesaid, That it shall and may be lawful for the commissioners of excise, and justices of the peace, within their respective jurisdictions, or any one or more of such justices, upon oath made before him or them, of any offence committed against this act, or any other law in force for restraining or regulating the retailing of distilled spirituous liquors, to grant their warrant to any of the peace officers, or other parish officers, of the parish or place where such offence shall be sworn to have been committed, to enter and search the house, lodgings, shop, warehouse, cellars and other places where such offences shall be sworn to be committed, or in the occupation of the person sworn to be guilty thereof, and the officer or officers, person or persons, authorized by such warrant, shall and may enter such houses, lodgings, shops, warehouses and other places, and break open the doors thereof, in case they be not forthwith opened upon demand, and search for and seize all such distilled spirituous liquors as they shall there find, and detain the same until the matter of the said offence shall be heard and determined; and in case the offender be convicted of such offence, the liquors so found shall be forthwith staved and destroyed as aforesaid, and if such person shall not be convicted, then the same shall be restored.

Distiller, &c. selling, &c. liquors, to be unlawfully retailed, or to unlicensed retailers, to forfeit 10 l. and treble the value.

Application of the penalty.

Retailer discovering and convicting the distiller, intitled to his share of the penalty, and indemnified.

XI. And be it enacted by the authority aforesaid, That if any distiller or other person shall knowingly sell or deliver, or cause to be sold and delivered by his servants or others, directly or indirectly, any quantity of distilled spirituous liquors to any person, to the end that the same may be unlawfully retailed, or unto any unlicensed retailer of spirituous liquors, such distiller or other person shall forfeit and lose the sum of ten pounds, and also treble the value of all such spirituous liquors so sold or delivered; one moiety thereof to the King, his heirs and successors, and the other moiety to such person or persons as will sue for the same, in any of his Majesty's courts of record at Westminster, or in the court of Exchequer in Scotland, by action of debt, bill, plaint or information, wherein no essoin, privilege, protection, wager of law, or more than one imparlance shall be granted or allowed; and if any person guilty of retailing distilled spirituous liquors shall discover the distiller or other person who shall knowingly supplied him with such liquors as aforesaid, and shall prosecute such distiller or other person to the same, without fraud or wilful delay, until he be convicted thereof, such prosecutor shall not only be intitled to be

of the penalty, but shall also be indemnified against all penalties and forfeitures incurred by him before the commencement of such his prosecution, for selling spirituous liquors without licence.

XII. And it is further enacted by the authority aforesaid, That from and after the said first day of July one thousand seven hundred and fifty one, no person or persons whatsoever, shall be intitled unto or maintain any cause, action or suit for, or recover either in law or equity, any sum or sums of money, debt or demands whatsoever, for or on account of any spirituous liquors, unless such debt shall have really been and *bona fide* contracted at one time, to the amount of twenty shillings or upwards; nor shall any particular article or item in any account or demand for distilled spirituous liquors be allowed or maintained, where the liquors delivered at one time, and mentioned in such article or item, shall not amount to the full value of twenty shillings at the least, and that without fraud or covin; and where no part of the liquors so sold or delivered shall have been returned or agreed to be returned directly or indirectly; and in case any retailer of spirituous liquors, with or without a licence, shall take or receive any pawn or pledge from any person or persons whatsoever, by way of security for the payment of any sum or sums of money owing by such person or persons for such spirituous liquors or strong waters, every such person or persons offending herein shall forfeit and lose the sum of forty shillings for each and every pawn or pledge so taken in or received by him or them, to be levied and recovered by warrant under the hand and seal of one justice of the peace where the offence is committed; and that one moiety thereof shall be to the use of the poor of the parish where such offence is committed, and the other moiety to the informer or informers; and the person or persons to whom any such pawn or pledge doth or shall belong, shall have the same remedy for recovering such pawn, or the value thereof, as if it had never been pledged.

No debt under 20 s. for spirituous liquors, contracted at one time, recoverable, &c.

Retailer taking a pledge for liquors, to forfeit 40 s.

Application of the penalty.

Owner may recover his pledge.

XIII. And be it further enacted by the authority aforesaid, That no licence shall be granted for the retailing of spirituous liquors within any gaol, prison, house of correction, workhouse, or house of entertainment for any parish poor, and that all licences granted or to be granted, contrary to this provision, shall be void and of no effect from and after the said first day of July one thousand seven hundred and fifty one; and if any gaoler, keeper or officer of any gaol, prison or house of correction, or any governor, master or officer of any workhouse or house for the entertainment of any parish poor, shall sell, use, lend or give away, or knowingly permit or suffer any spirituous liquors or strong waters to be sold, used, lent or given away, in any such gaols, prisons or houses of correction, or brought into the same; other than and except such spirituous liquors or strong waters as shall be prescribed or given by the prescription and direction of a regular physician, surgeon or apothecary, and to be applied in pursuance of such prescription, from the shop of some regular

No licence to be granted for retailing spirituous liquors within gaols, houses of correction or work-houses. Keeper, &c. suffering spirituous liquors to be used there, &c.



apothecary, every such gaoler, keeper, governor, master or other officer, shall, for every such offence, forfeit and lose the sum of one hundred pounds; one moiety thereof to his Majesty, and the other moiety thereof, with full costs of suit, to such person or persons as will sue for the same, in any of his Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland*, by action of debt, bill, plaint or information; wherein no essoin, privilege, protection, wager of law, or more than one imparlance shall be granted or allowed; and in case any such gaoler or other officer, being convicted thereof as aforesaid, shall again offend in like manner, and be thereof a second time lawfully convicted, such second offence shall be deemed a forfeiture of his office.

And for a second offence, to forfeit his office.

Justices, upon information that liquors are kept, &c. in such houses, may enter and search; or impower any constable so to do,

and seize and stave the same.

Persons carrying, liquors into such houses,

to be taken before a justice;

and on conviction, to be committed, or pay, a sum not exceeding 20l. or less than 10l.

XIV. And be it further enacted by the authority aforesaid, That from and after the said first day of *July* one thousand seven hundred and fifty one, it shall and may be lawful for his Majesty's justices of the peace, or any one of them, upon information upon oath That any such spirituous liquors or strong waters are kept and disposed of in any such gaol, prison, house of correction, workhouse or house of entertainment for parish poor, in *Great Britain*, to enter and search, or to authorize and impower any constable, headborough or other peace officer of the parish where any such places are situated, by warrant under his hand and seal to enter and search any such gaol, prison, house of correction, work-house or house of entertainment for parish poor; and in case any such spirituous liquors or strong waters shall be found therein (except such as are directed to be used medicinally as aforesaid) it shall and may be lawful for such constable, headborough or overseer of the poor, to seize such spirituous liquors or strong waters, and to cause the same to be forthwith staved and destroyed.

XV. And be it enacted by the authority aforesaid, That no person shall carry or bring, or attempt or endeavour to carry or bring any distilled spirituous liquors (except to be used in the way of medicine as herein before mentioned) into any gaol, prison, house of correction, work-house or house of entertainment for parish poor; and if any person or persons shall offend therein, it shall be lawful for the gaoler, keeper, master or chief officer of such gaol, prison, house of correction, work-house, or house of entertainment for parish poor, or his or their servants, to apprehend such person or persons, and to carry him, her or them before a justice of the peace of the county, division, city, town corporate or liberty, where such gaol, prison, house of correction, work-house or house of entertainment for parish poor is situate (who is hereby impowered to hear and determine such offence in a summary way, and to administer an oath to the witnesses) and if by the oath of one credible witness or otherwise, he shall convict such person or persons of such offence, he shall forthwith commit such offender or offenders to prison, or to the house of correction, there to be kept in custody for any time not exceeding three months, without bail or mainprize, unless such

such offenders respectively shall immediately pay down such sum or sums of money, not exceeding twenty pounds, and not less than ten pounds, as the justice shall impose upon such offenders severally, as their fines; to be paid, one moiety to the informer, and the other moiety to the use of the poor of such gaol, prison, house of correction, work-house or house of entertainment for parish poor.

XVI. And be it further enacted by the authority aforesaid, That every gaoler, keeper, master and chief officer of every gaol, prison, house of correction, work-house and house of entertainment for any parish poor, shall on or before the first day of *August* one thousand seven hundred and fifty one, procure one or more copy or copies of the three preceding clauses, to be printed or fairly written, and hung up in one of the most publick places of his gaol, prison, house of correction, work-house or house of entertainment for parish poor, and renew the same from time to time, so that it may be always kept fair and legible, &c. on pain of forfeiting the sum of forty shillings for every wilful default, to be levied by warrant of any justice of the peace of the county, division, city, town corporate or liberty where such gaol, prison, house of correction, work-house or house of entertainment for parish poor, shall be situate, to be granted on conviction of such default, in a summary way, before such justice, by the oath of one or more credible witness or witnesses (which oath such justice is hereby empowered to administer) and it shall and may be lawful for every justice of the peace, to enter into any gaol, prison, house of correction, work-house or house of entertainment for parish poor, within the limits of his jurisdiction, and demand a sight of such copy so hung up as aforesaid; and if the same shall not be forthwith shewn to him so hung up in some publick place, fair and legible as aforesaid, such justice shall and may immediately convict such gaoler, keeper, master or officer of such default, and so, from time to time, as often as he shall think fit; one moiety of the said penalty to be paid to the informer, and the other moiety (or the whole if there be no informer) to the use of the poor of such gaol, prison, house of correction, work-house or house of entertainment for parish poor.

XVII. And be it further enacted by the authority aforesaid, That all and every his Majesty's justices of the peace within the cities of *London* and *Westminster*, and borough of *Southwark*, or within the limits of the head office of excise in *London*, shall once in every month transmit to the clerk of the peace for the county where they act, a certificate of all persons convicted before them respectively, for any offences committed against this or any former act or acts of parliament, relating to spirituous liquors or strong waters, or for licensing the retailers thereof; who is hereby authorized and required to keep and enter the same among the publick records of the court of the quarter-sessions of the counties respectively, where such conviction shall be confirmed; which certificates shall be evidence upon any information

formation directed by this or any other act relating to spirituous liquors.

8 & 9 W. 3.  
c. 19.

XVIII. *And whereas by an act of parliament made and passed in the eighth and ninth years of the reign of his majesty King William the Third, (intituled, An act for repealing a clause in a former act relating to party guiles, and for the better preventing frauds and abuses of brewers, and others chargeable with the duties of excise;) it was (amongst other things) enacted, That no common distiller or maker of low wines, spirits or strong waters for sale or exportation, should at any time after the tenth day of April one thousand six hundred and ninety seven, erect or set up any tun, cask, washbatch, copper, still or other vessel for the brewing, making or keeping any worts, wash, low wines, spirits or strong waters, nor alter or enlarge any tun, cask, washbatch, copper, still or other vessel already erected or set up, nor should have or keep any private or concealed tun, cask, washbatch, copper, still or other vessel, nor any private or concealed warehouse, storehouse, cellar or other place for the brewing, making, laying or keeping any worts, wash, low wines, spirits or strong waters, without first giving notice thereof at the next office of excise, within the limits or jurisdiction whereof he or they did or should inhabit, upon pain of forfeiting for every tun, cask, washbatch, copper, still, warehouse, storehouse, cellar, or other place, so erected or set up, altered or enlarged, kept private or concealed, the sum of twenty pounds; and that all and every person or persons in whose occupation any house, out-house or other place whatsoever, was or should be, where any such private or concealed tun, cask, washbatch, copper, still, warehouse, storehouse or cellar should be discovered or found, should also forfeit and lose the sum of fifty pounds: and whereas the number of casks and other vessels used by distillers being very great, and the officers not being empowered to mark the same, so as to be enabled to distinguish the entered vessels from those that are not entered, it is impossible for the gauger to prove the particular vessel unentered, and consequently to convict the offender, agreeable to the intent and meaning of the aforesaid act: and whereas distillers at present are not confined to keep their after-runnings or feints from the second extraction in any particular vessels, which makes it impossible for the gauger to keep an exact stock of the said after-runnings or feints: and whereas some distillers taking the opportunity of the officers absence, do frequently charge their stills, either in the whole or in part, with wash privately brought in, and when the officers find the still so charged, the distillers alledge, by way of excuse, that such stills are charged with after-runnings or feints, which the officers are not able to disprove, by reason of their not having an exact account of the said after-runnings or feints; in which cases the revenue is greatly defrauded by the distillers obtaining relief of the duty wherewith they are charged, upon their complaints of an overcharge: therefore to remedy such defects, and the better to prevent such frauds; be it enacted by the authority aforesaid, That from and after the said first day of July one thousand seven hundred and fifty one, every distiller or maker of low wines or spirits for sale or exportation, shall within ten days after the said first day of July one thousand seven*

Distiller to  
make entry of  
all vessels for  
distillation,  
&c.

seven hundred and fifty one; and all persons who ſhall after the ſaid firſt day of *July* one thouſand ſeven hundred and fifty one, become diſtillers or makers of low wines or ſpirits for ſale or exportation, ſhall ten days before he, ſhe or they diſtil or make any ſpirituſous liquors, make a true and particular entry in writing, at the next office of exciſe, within the limits whereof his, her or their workhouſe, ſtillhouſe, ſtorehouſe, warehouſe or other place uſed for diſtilling or keeping waſh, low wines or ſpirits, is or ſhall be ſituate, of all and every ſtill, copper, tun, waſhbatch, caſk or other veſſel which he, ſhe or they ſhall make uſe of for the brewing, diſtilling, working, making, laying or keeping any worts, waſh, low wines, ſpirits or ſtrong waters, and alſo of the caſks or veſſels which every ſuch diſtiller or maker of low wines or ſpirits for ſale or exportation as aforeſaid, ſhall make uſe of, for the brewing, holding or keeping of the after-runnings or ſeints from the ſecond extraction, which ſhall from time to time be drawn from every ſuch ſtill, (which ſaid laſt-mentioned caſks or veſſels ſhall not at any one time exceed two in number, at any ſuch diſtillers or makers of low wines or ſpirits for ſale or exportation) and alſo of all ſuch new utenſils as ſuch diſtillers or makers of low wines or ſpirits for ſale or exportation ſhall make uſe of for the purpoſes aforeſaid, on pain that every ſuch diſtiller or maker of low wines or ſpirits for ſale or exportation, ſhall forfeit and loſe for every ſuch ſtill, copper, tun, waſhbatch, caſk or other veſſel herein before mentioned, which ſhall be made uſe of and not entered as aforeſaid, the ſum of fifty pounds; and every ſuch diſtiller or maker of low wines or ſpirits for ſale or exportation as aforeſaid, is hereby required to ſhew to the gauger or officer of exciſe, who ſurveyes his, her or their workhouſe, ſtillhouſe, ſtorehouſe, warehouſe or other place uſed for diſtilling or keeping waſh, low wines or ſpirits, every ſuch ſtill, copper, tun, waſhbatch, caſk or other veſſel ſo entered, and he the ſaid officer is hereby required to mark the ſame with a particular, diſtinct and durable mark; and every ſtill, copper, tun, waſhbatch, caſk, and any veſſel which ſhall at any time or times be uſed by any ſuch diſtiller or maker of low wines and ſpirits for ſale or exportation, for any of the purpoſes aforeſaid, without being ſo ſhewn or marked, ſhall be deemed a veſſel or utenſil of which no entry has been made; and if any perſon or perſons whatſoever, ſhall at any time or times hereafter, after ſuch ſtill, copper, tun, waſhbatch, caſk or other veſſel, ſhall have been ſo marked by ſuch officer as aforeſaid, rub out or deface any ſuch mark ſo fixed upon any ſuch ſtill, copper, tun, waſhbatch, caſk or other veſſel by ſuch officer as aforeſaid, he, ſhe or they ſo offending, ſhall for every ſuch offence forfeit and loſe the ſum of twenty pounds.

Veſſels for brewing or keeping the after-runnings or ſeints of the ſecond extraction, not to exceed two;

Penalty.

Diſtiller to ſhew the gauger every ſtill and veſſel.

XIX. And in order to enable the gauger the better to detect ſuch frauds, by having proper proof to lay before the reſpective courts where ſuch and other offences againſt the laws relating to theſe duties ſhall be heard and determined; be it further enacted, that from and after the ſaid firſt day of *July* one thou-

The Gauger may take a ſand ſample of low

wines and  
feints, paying  
for the same.

Penalty of ob-  
structing offi-  
cers therein.

Distiller to  
give notice be-  
fore he re-  
ceives any fer-  
mented wash;

under penalty  
of 50l.

Drawback of  
the duties al-  
lowed on ex-  
portation of  
spirits made  
in Great Bri-  
tain.

and seven hundred and fifty-one, it shall and may be lawful for any gauger or officer of excise at any time or times to take a sample of such low wines or spirits, and of feints and spent wash, paying for such spirits or low wines, after the rate of ten shillings *per* gallon; and for the said feints and spent wash, after the rate of one shilling *per* gallon; and in case any such distiller or maker of low wines or spirits for sale or exportation, or any workman or servant belonging to him, her or them shall refuse to permit such gauger or officer to take such samples as afore-said, or shall any ways hinder or obstruct him or them in taking such samples, such distiller or maker of low wines or spirits for sale or exportation, shall for every such offence respectively forfeit and lose the sum of fifty pounds.

XX. And whereas distillers and makers of low wines or spirits for sale or exportation, very frequently take in wash, when privately prepared, and charge their stills in the officers absence, and by these means run great quantities of wash, low wines and spirits; the better to prevent such frauds for the future, be it further enacted, That from and after the said first day of July one thousand seven hundred and fifty-one, every distiller or maker of low wines or spirits for sale or exportation, within the limits of the weekly bills of mortality, shall, twenty-four hours at least, and in other parts of Great Britain, forty-eight hours at least, before he, she or they receive any quantity of wine, cyder, sugar, water or any kind of fermented wash whatsoever, into his, her or their custody, give notice to the gauger or officer of excise, who surveys his, her or their workhouse, of the particular quantity of such wine, cyder, sugar, water or any kind of fermented wash, and the species thereof, and of the time when he, she or they shall intend to receive the same into his, her or their custody, on pain of forfeiting and losing for every offence in not giving such notice, the sum of fifty pounds.

XXI. And, for the encouragement of the exportation of spirits, drawn or made in Great Britain, from the materials afore-said, or any of them; be it enacted by the authority aforesaid, That from and after the said first day of July one thousand seven hundred and fifty-one, there shall be a drawback or allowance of the several and respective duties charged by this act, on such spirits so drawn or made in Great Britain, which shall be exported to parts beyond the seas; and upon oath being made before any two or more of the commissioners of excise, or justices of the peace for the county or place from whence any such spirits are intended to be exported, that the duties of the same are duly entered and paid, and that the same are exported for merchandise to be spent beyond the seas; and upon producing a certificate under the hands of the officers of excise for the port or place where such spirits were shipped, of the quantities so shipped, and that the same were shipped in the presence of such officers; the distiller or distillers, or other person or persons exporting the same, shall be allowed or paid back by the commissioners of excise, or their collector, for the port or place where such

such spirits shall be shipped off, the several duties charged thereupon by this act accordingly.

XXII. And be it further enacted by the authority aforesaid, That from and after the said first day of July one thousand seven hundred and fifty-one, no person or persons whatsoever, being a common brewer of ale or beer, or innkeeper, distiller or other seller of or dealer in any kind of spirituous liquors, or who is, or are or shall be interested in any of the said trades or businesses, shall, during such time as he or they shall be such common brewer, innkeeper, distiller or other seller of or dealer in spirituous liquors, or interested in any of the said trades or businesses, be capable or have any power to act, or shall be directly or indirectly concerned in acting as a justice of the peace, in any matter or thing whatsoever, which shall any ways concern the execution of the powers or authorities given or granted by any act or acts of parliament, in any wise relating to distillers or makers of low wines, spirits or strong waters for sale, or to the duty or duties imposed upon low wines, spirits or strong waters, or any other kind of spirituous liquors whatsoever, or to the granting licences to the retailers of spirituous liquors.

Brewers, innkeepers, distillers or dealers in spirits, &c. not to act as justices relating to the distillery.

XXIII. And whereas it has been doubted whether the several powers, authorities, directions, rules, methods, penalties, punishments and forfeitures, clauses, matters and things, which were provided, settled, directed, established or imposed by any act or acts of parliament made since the sixth year of his present Majesty's reign, relating to the selling spirituous liquors without licence, might be lawfully exercised, imposed, inflicted and recovered against any person for retailing spirituous liquors, in less quantity than two gallons, in regard the quantity of spirituous liquors which might be lawfully sold without licence, without subjecting the seller thereof to be deemed a retailer of spirituous liquors, is different in the said act of the sixteenth year of his present Majesty's reign, from that in the seventeenth year of his said Majesty's reign, (intituled, An act for granting to his Majesty the King, his heirs and assigns, the sum of one hundred thousand pounds for the redemption of the said East Indies; now in order to put an end to such doubts, be it enacted and declared, That all and every the powers, authorities, directions, rules, methods, penalties, punishments and forfeitures, clauses, matters and things, provided, settled, directed, established or imposed, by any act or acts of parliament made since the sixth year of his present Majesty's reign, relating to the selling spirituous liquors without licence, (except the forfeiture or penalty of one hundred pounds imposed by an act of the ninth year of his present Majesty's reign, intituled, An act for laying a duty upon the retailers of spirituous liquors; and for licensing the retailers thereof,) may for the future, and from the time of the commencement of the said act of parliament, made in the seventeenth year of his present Majesty's

16 Geo. 2. c. 8.  
17 Geo. 2. c. 17.

The powers and penalties, &c. provided by any acts made since 6 Geo. 2. relating to the selling spirituous liquors,

Exception.

reign, might have been lawfully exercised, practised, applied, to be in force. used, imposed, inflicted, levied and recovered, in regard to all and every person and persons that have offended, or shall offend against the said acts of the sixteenth and seventeenth years of his said Majesty's reign, or this act, or any or either of them, in like manner as they might have been, in relation to persons offending against the said several and respective acts, or any of them, made since the sixth year of his said present Majesty's reign.

9 Geo. 2. c. 23. XXIV. And whereas by a clause in an act of parliament passed in the ninth year of his present Majesty, (intituled, An act for laying a duty upon the retailers of spirituous liquors, and for licensing the retailers thereof) it is enacted, That nothing in the same act contained should extend to enable any person to sell any spirituous liquors or strong waters by retail, unless such person be first licensed by two or more justices of the peace for the county or place where such person should sell the said liquors, under the hands and seals of the said justices; for which licence or licences the sum of two shillings and six pence, and no more, should be paid to the clerks of such justices, and no fee or sum of money, or other reward whatsoever, to the clerk or clerks of the peace for entering the same, or on any other account, on pain of forfeiting five pounds, in case any of the said justices clerks, or any clerk of the peace, should ask or receive any fee, other than as above, on account of such licences: and whereas by another clause in an act of parliament passed in the sixteenth year of the reign of his present Majesty (intituled, An act for repealing certain duties on spirituous liquors, and on licences for retailing the same; and for laying other duties on spirituous liquors, and on licences to retail the said liquors) the said first-recited act is in part repealed; and some doubts having arisen, whether the said first-recited clause, limiting the fees for licences to two shillings and six pence each, be repealed or not, the clerks of justices of the peace, in many parts of this kingdom, have taken larger fees for such licences, contrary to the intention of the said act: and whereas no particular method is prescribed in the same act for the recovery of the before-mentioned penalty of five pounds: now to put an end to all doubts concerning the said first-recited clause, and the method of suing for and recovering the said penalty therein contained, it is declared and enacted by the authority aforesaid, That the said recited clause in the aforesaid act of the ninth year of his present Majesty's reign, restraining or intending to restrain the clerks of justices of the peace for asking or receiving more than two shillings and six pence for each licence therein mentioned, is now and shall, from henceforth, be and remain in full force.

The clause in 9 Geo. 2. restraining the fees of justices clerks for licences, to be in force.

Penalties how to be recovered.

XXV. And be it further enacted by the authority aforesaid, That all penalties and forfeitures by the said first-recited clause imposed, shall or may be sued for, levied and recovered by action of debt, bill, plaint or information, in any of his Majesty's courts of record at Westminster, or by indictment at the assizes, or at the general or quarter sessions of the peace of the county or place where such offence shall be committed, for the use of the

the person or persons who shall sue or prosecute for the same; in which suits no essoin, wager of law, or more than one imparlance shall be allowed.

XXVI. Provided nevertheless, That nothing in this act contained shall extend to charge with any of the duties directed to be paid, levied or received as aforesaid, any spirits made or distilled from malt, and retailed and consumed within that part of Great Britain called Scotland, which spirits are commonly called and known by the name of *Aqua Vitæ*, in that part of the kingdom, or to subject the makers, sellers and retailers thereof, within that part of the kingdom, to take such licences as are herein before directed.

*Aqua Vitæ*  
made in Scot-  
land exempt-  
ed.

XXVII. And whereas by an act of parliament made and passed in the twelfth year of the reign of his late Majesty King Charles the second, (intituled, An act for taking away the court of wards and liveries, and tenures in Capite, and by knights service, and purveyance; and for settling a revenue upon his Majesty in lieu thereof) it is amongst other things enacted, That all parts of the cities of London and Westminster, and the borough of Southwark, and the several suburbs thereof, and parishes within the weekly bills of mortality, shall be under the immediate care, inspection and management of the head office of excise in London: and whereas since the passing of the said act, the parish of saint Mary le Bon in the county of Middlesex, is greatly increased in buildings and inhabitants, and is contiguous to the parishes within the said bills of mortality; be it therefore further enacted by the authority aforesaid, That the said parish of saint Mary le Bon shall, from and after the said first day of July one thousand seven hundred and fifty-one, be deemed and taken, and is hereby declared to be under the immediate care, inspection and management of the said head office of excise; any law, custom or usage to the contrary thereof in any wise notwithstanding.

The parish of  
Saint Mary le  
Bon to be un-  
der the inspec-  
tion of the  
head office of  
excise.

XXVIII. And it is further enacted by the authority aforesaid, That if any persons, to the number of five or more, shall from and after the said first day of July one thousand seven hundred and fifty-one, in a tumultuous and riotous manner assemble themselves to rescue any offenders against this or any other act, relating to spirituous liquors or strong waters, or for licensing the retailers thereof, or to assault, beat or wound any person or persons who shall have given or be about to give any information against, or shall have discovered or given evidence against, or shall seize or bring to justice any person or persons offending against this or any of the said former acts, or forsooth to oppose the execution of any of the powers given by this act, that then, all and every person or persons so assembling, their aiders and abettors, being thereof lawfully convicted, shall be, and be adjudged to be guilty of felony; and every such felon shall be subject and liable to the like pains and penalties as in cases of felony; and the courts by and before whom he, she or they shall be convicted, shall have full power and authority of transporting such felon and felons for the space of seven years, to any of his

Persons assembling to rescue offenders, or to beat informers, &c.

to be guilty of  
felony,

and transport  
ed for 7 years,



- his Majesty's colonies and plantations in *America*, upon the like terms and conditions as are given, directed and enacted by an act made in the fourth year of the reign of his late majesty King George the First (intituled, *An act for the further preventing robbery, burglary and other felonies; and for the more effectual transportation of felons, and unlawful exporters of wool;*) and by an act made in the sixth year of the reign of his said late majesty King George the First (intituled, *An act for the further preventing robbery, burglary and other felonies; and for the more effectual transportation of felons.*)

Penalties how to be recovered.

XXIX. And be it further enacted and declared by the authority aforesaid, That all fines, penalties and forfeitures imposed by this or any other act relating to the duties of excise, or other duties under the management of the commissioners of excise, shall be sued for, levied, recovered or mitigated by such ways, means and methods as any fine, penalty or forfeiture is or may be recovered or mitigated by any law or laws of excise (not otherwise directed by this act) or by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland*; and that one moiety of every such fine, penalty or forfeiture shall be to his Majesty, his heirs and successors, and the other moiety to him or them who shall discover, inform or sue for the same.

Limitation of actions.

XXX. And it is hereby enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued or prosecuted for any thing by him or them done or executed in pursuance of or by colour of this act, or of any matter or thing in this act contained, such action or prosecution shall be commenced within the space of three months next after the offence shall be committed, and shall be laid in the proper county; and such person or persons shall and may plead the general issue, and give the special matter in evidence for his and their defence; and if upon trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, or discontinue his suit or prosecution, or if judgment be given for the defendant or defendants, upon demurrer or otherwise; then such defendant or defendants shall have treble costs to him or them awarded against the plaintiff or plaintiffs.

General issue.

Treble costs.

Persons sued, intituled to the benefit of 11 Geo. 2. c. 26.

XXXI. And be it further enacted by the authority aforesaid, That all persons sued or prosecuted for any thing done in or relating to the execution of this present act, shall be intituled to all the privileges and benefits for their legal defence that are provided or enacted in or by an act of parliament made in the eleventh year of his Majesty's reign (intituled, *An act for the enforcing the execution of an act made in the ninth year of his Majesty's reign, intituled, An act for laying a duty on the retailers of spirituous liquors, and for licensing the retailers thereof*) for persons employed in the execution of the said act.

Where the penalty on conviction of unlawful retail-

XXXII. And for the encouragement of these who shall discover offences committed against this act, be it enacted by the authority aforesaid, That from and after the said first day of

any one thousand seven hundred and fifty one, where any persons, shall not on or persons shall be lawfully convicted of any offence in unlawfully retailing distilled spirituous liquors, and the pecuniary penalty hereby, or by any other act of parliament inflicted for such offence, shall not be paid, and cannot be levied by the pace of one month next ensuing the time of such conviction, it shall and may be lawful for the commissioners of excise in England and Scotland respectively, to cause such reward as they shall think fit, not exceeding five pounds each, to be paid to the several and respective persons who shall appear to them to be intitled thereto as informers, out of any monies in their hands arising by any penalties or forfeitures for the like offences as aforesaid.

the commis-  
sioners of ex-  
cise to reward  
the informers.

## C A P. XLI.

*An act for the more effectual securing the duties upon tobacco.*

WHEREAS, notwithstanding the laws heretofore made relating to the importation of tobacco into Great Britain from his Majesty's plantations in America, and for securing the duties due and payable thereon upon the importation thereof into Great Britain, and also with regard to the exportation of tobacco from Great Britain to foreign parts, many great frauds and abuses are frequently contrived, committed and carried on by several ill-designing persons concerned in the different branches of business and trade in tobacco, to the great prejudice of his Majesty's revenue, and to the great loss and discouragement of the fair traders, so that it is become necessary that some further provision should be made for the more effectual preventing the same for the future; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That Vessels taking in tobacco at from and after the twenty fifth day of March one thousand seven hundred and fifty two, when any ship or vessel whatsoever shall the plantations for Great Britain, officer of the customs to give the master a manifest with the number and tare of the packages, &c. have taken in tobacco at any port or place whatsoever, within his Majesty's plantations in America, in order to convey the same from thence into Great Britain (except such tobacco as shall be water-born before the said twenty fifth day of March one thousand seven hundred and fifty two) the collector or comptroller, or other chief officer, or any two of them, employed in the management of the customs, at such port or other place, where such ship or vessel shall have taken in tobacco, shall, at and upon the clearing of every such ship or vessel by the proper officer or officers of the customs appointed for that purpose, deliver to the master, commander or other person taking charge of any such ship or vessel, a manifest or content in writing, under his and their hands and seals of office, which shall contain a true account of all the tobacco loaden on board every such ship or vessel, with the number of hogheads, casks, chests and other packages containing the same, and the quantity of the tobacco contained in each particular hoghead, cask, chest and other pack-

and tranſmit  
a duplicate to  
the commiſſi-  
oners of the  
cuſtoms,

under penalty  
of 200 l.

Maſter to de-  
liver to the  
collector in  
Great Britain  
the manuſcript,

under penalty  
of 100 l.

Land-waiter  
not to permit  
tobacco to be  
landed till he  
has entered  
the manuſcript  
&c. of the fe-  
veral pack-  
ages, under  
penalty of 50 l.

age, together with the marks and numbers ſet on each and every hoghead, caſk, cheſt, or other package thereof, with the care of each particular hoghead, caſk, cheſt or other package in which ſuch tobacco ſhall be contained; and alſo ſhall, at and upon the clearing of every ſuch ſhip or veſſel as aforeſaid, immediately tranſmit a duplicate of ſuch manuſcript or content to the reſpective commiſſioners of the cuſtoms in *Great Britain*: and any collector, comptroller or other chief officer or officers of the cuſtoms at any port or place in his Maſteſty's plantations in *America*, who ſhall, at and upon the clearing of any ſhip or veſſel having tobacco loaden on board her as aforeſaid, neglect or reſuſe to deliver to the maſter, commander or other perſon taking charge of ſuch ſhip or veſſel, ſuch manuſcript or content as is here in before ſpecified and directed; or who ſhall not, at and upon the clearing any ſuch ſhip or veſſel, immediately tranſmit a duplicate of ſuch manuſcript or content to the ſaid reſpective commiſſioners of the cuſtoms in *Great Britain*, ſhall forfeit and loſe the ſum of two hundred pounds, to be recovered in any of his Maſteſty's courts of record at *Weſtmiſter*, or in the court of admiralty in his Maſteſty's plantations where ſuch offence ſhall be committed.

II. And be it further enacted by the authority aforeſaid, That every maſter, commander or other perſon or perſons taking charge of any ſhip or veſſel having tobacco loaden on board as aforeſaid, at any port or place whatſoever in any of his Maſteſty's plantations in *America* as aforeſaid, ſhall, upon his arrival at his port of diſcharge in *Great Britain*, and at the time that he makes his report of his ſhip at the cuſtom-houſe, deliver to the collector of the cuſtoms at the ſaid port (who is hereby required and directed to deliver the ſame to the land-waiters appointed for the delivery of ſuch ſhip or veſſel) the manuſcript or content of the lading of his ſhip or veſſel which he received from the collector, comptroller or other chief officer of the cuſtoms at the port or other place in the plantations where he took in his lading; and if any maſter, commander or other perſon or perſons taking charge of any ſuch ſhip or veſſel, ſhall neglect or reſuſe to deliver ſuch manuſcript or content to the collector of the cuſtoms, at the time he makes his report of his ſhip at the cuſtom-houſe at the port of his diſcharge, he and they ſhall forfeit and loſe the ſum of one hundred pounds.

III. And be it further enacted by the authority aforeſaid, That the land-waiters appointed for the delivery of every ſhip or veſſel arriving at any port or place in *Great Britain* from any of his Maſteſty's plantations in *America*, having tobacco on board her, ſhall not ſuffer any part of the tobacco on board any ſhip or veſſel to be landed, until they have from, and agreeable to the manuſcript delivered to them by the collector, entered into their reſpective books (given them by the directions of the commiſſioners of his Maſteſty's cuſtoms for keeping accounts of goods by them delivered or ſuffered to be delivered from on board ſuch ſhips) the ſaid ſeveral and reſpective manuſcripts, marks, numbers, weights,

weights, tares and contents of the several hogheads, casks, chests and other packages, under the penalty of the forfeiture of fifty pounds; and the said land-waiters are hereby authorized and required, upon the landing of any such tobacco, to cause such landing mark to be fixed and set upon every hoghead, cask, chest or other package whatsoever containing the same, as shall be directed by the respective commissioners of the customs aforesaid; and the said land-waiters are hereby also required to enter every such landing mark in their several books aforesaid, on pain of forfeiting the sum of fifty pounds.

Landing mark to be set upon every hoghead, &c.

and an entry to be made thereof.

IV. And be it further enacted by the authority aforesaid, That from and after the twenty ninth day of *September* one thousand seven hundred and fifty one no debenture shall be made forth for any tobacco imported into *Great Britain* after the said twenty ninth day of *September* one thousand seven hundred and fifty one, or any drawback be paid or allowed for the same, when exported or entered outwards for exportation to any part or parts beyond the seas, unless the same and every part thereof be shipped and exported from the very same port or place at which such identical tobacco was at first originally imported into *Great Britain*, and no other; and also unless the same identical tobacco, if unmanufactured, and every part thereof, be shipped and exported in the original package, with the same marks, in and with which it was at first imported into *Great Britain*, and no other, without any alteration whatsoever being made in the package (except such as shall be occasioned by necessary cooperation for the repair of the said package) or any other tobacco being put therein, or any part of the tobacco being removed or taken out of the package in which it was at first imported (except only ten pounds weight of tobacco, which shall be allowed to be taken out of each hoghead, cask, case or other package after the same is weighed at the importation, as is now the practice; and if any person or persons whatsoever shall enter any tobacco for exportation at any other port or place than that at which the same identical tobacco was imported, or in any other cask or package than the same in which the same unmanufactured tobacco was originally imported, or without the same marks, all such tobacco shall be forfeited, and no drawback thereupon shall be paid, or if any shall be paid, the same shall be repaid, and the person who entered, or caused the same to be entered, shall forfeit the sum of two hundred pounds; and whoever shall knowingly export beyond the seas any hoghead or other package of tobacco, out of which more than ten pounds weight of tobacco has been taken for samples, he, she and they so offending shall forfeit and lose the sum of twenty pounds for every such hoghead or other package of tobacco so exported.

No debenture or drawback allowed on exportation, unless the tobacco be shipped from the port at which it was imported, and in the original package, if unmanufactured, &c.

Penalty of entering tobacco at any other port or in other package, &c.

V. Provided nevertheless, and it is hereby declared and enacted, That when any unmanufactured tobacco is imported in hogheads or casks into *Great Britain* from any of his Majesty's plantations in *America*, if upon the landing and examination thereof it shall appear, that the tobacco contained in any of such

When unmanufactured tobacco shall be found damaged upon landing,

hogheads

hogheads or casks is so much damaged, that by cutting off the damaged part thereof (for which no duty is paid) the sound tobacco remaining in any of such hogheads (for which duty is to be paid) is under the weight of four hundred and fifty pounds, then and in such case it shall and may be lawful for the importer or importers thereof, in the presence of the land-waiters appointed to deliver the ship in which the same was imported, to cause all such sound tobacco to be put together in one or more of the same hogheads out of which the damaged tobacco was taken; and the said land-waiters, or other proper officers, are hereby directed and required to enter into their respective books the true and exact weight of all such sound tobacco put into each and every such hoghead, with the several and respective marks and numbers set on each and every such hoghead, and also to note and specify in their books, that such hogheads were packed and refilled in their presence; and all and every such hogheads of unmanufactured tobacco shall and may be exported from the same ports, and no other, at which they were originally imported; and debentures shall be made out, and the drawback be paid for the tobacco therein contained (provided the quantity of the tobacco in each such hoghead amounts to four hundred and twenty five pounds weight or more) in the same manner and form, to all intents and purposes, as if the package of such tobacco had not been altered; any thing herein before contained to the contrary thereof in any wise notwithstanding.

what is found  
may be put  
into the same  
hogheads, and  
the land-wait-  
er is to enter  
the same in  
his books, &c.

and debentures and drawback may be allowed for the same.]

Exporter to  
endorse on the  
cocquet, the  
marks, num-  
bers, and  
weight of the  
tobacco when  
first imported,  
&c.

VI. And be it further enacted by the authority aforesaid, That from and after the said twenty-ninth day of *September* one thousand seven hundred and fifty one, all and every person and persons who shall enter any unmanufactured tobacco outwards, except unmanufactured tobacco imported before the said twenty ninth day of *September* one thousand seven hundred and fifty one, at any port or place in *Great Britain*, in order to be shipped and exported in any ship or vessel whatsoever to any part or parts beyond the seas, shall, before the same or any part thereof is laden on board any ship or vessel to be exported, endorse upon the cocquet and bill (to be delivered to the searcher or searchers belonging to the customs, and appointed to examine tobacco shipped for exportation) in a fair, distinct and legible manner, the plantation or manifest mark and number, which was upon each and every hoghead, cask, chest or other package of such tobacco, at the time when the same was first imported into *Great Britain*; and also the landing mark and number which was placed and set upon each and every hoghead, cask, chest or other package thereof, when the same was first landed in *Great Britain*, together with the exact weight that each and every hoghead, cask, chest or other package, with the tobacco therein contained, was of at the time of its being landed in *Great Britain*; and also the particular mark and number set upon each hoghead, cask, chest or other package thereof by the exporter or exporters thereof at the time the same shall

be brought to the water-side, to be shipped for exportation, together with the then weight which each particular hoghead, cask, chest or other package, and the tobacco therein contained, shall be of at the time it is so entered for exportation; and the searcher shall not admit any cocquet unless marked as aforesaid; and all and every exporter and exporters of tobacco shall also, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, write off, and they are hereby required and directed to write off the weight of each hoghead, cask, chest or other package of unmanufactured tobacco by him, her or them exported from any port of *Great Britain* to any part or parts beyond the seas, from the identical and particular entry made of each and every such hoghead, chest or other package of such unmanufactured tobacco, at the time when it was first imported into *Great Britain*; and if any person or persons whatsoever, who after the said twenty ninth day of *September* one thousand seven hundred and fifty one, shall enter outwards for exportation to any part or parts beyond the seas from any port or ports in *Great Britain*, any unmanufactured tobacco, shall neglect or refuse to endorse upon the cocquet and bill for the said tobacco delivered to the searchers, in a fair, distinct and legible manner, all and each and every of the several and respective marks, numbers and weights herein beforementioned and described, and in the manner and form the same is hereby required and directed to be done, or who shall neglect or refuse to write off the weight of each hoghead, cask, chest or other package of unmanufactured tobacco by him, her or them exported, from the identical entry made thereof at the time when the same was first imported into *Great Britain*, agreeable to the directions herein before given for that purpose; all and each and every such person and persons offending in each or either of these cases shall forfeit and lose the sum of five pounds for every hoghead, cask, chest or other package of such unmanufactured tobacco for each and every such offence or offences, to be sued for, recovered, levied and divided in the manner herein after directed; any law, statute or usage to the contrary in any wise notwithstanding; and no drawback or debenture for or on account of the exportation thereof shall be made out, granted or paid.

and to write off the weight of each hoghead, &c. exported from the entry made at importation,

under penalty of 5 l. for every hoghead

and no drawback or debenture to be granted.

VII. And it is hereby further enacted by the authority aforesaid, That all and every person and persons who, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, shall import any tobacco into *Great Britain* from any of his Majesty's plantations in *America*, and who shall in any wise manufacture the same, or any part thereof, upon his, her or their own account or accounts, or cause or procure the same, or any part thereof, to be manufactured for his, her or their own account or accounts, by any other person or persons, shall (before the same, or any part thereof, be manufactured by the importer or importers to any other person or persons to be manufactured for the account of such importer or

Importer manufacturing tobacco, to deliver to the officers at the port of importation, the marks, numbers, and weights, &c. of the hogheads, and the ship's name, im- &c.

Account to be signed by the importer and manufacturer, &c.

and importer to write off from the entry the weight, &c.

Penalty of neglect, or giving a false account.

Importer within 4 days after the delivery of tobacco to the purchaser,

importers) deliver, and they are hereby directed and required to deliver, to the collector or other chief officer of the customs at the port or place where such tobacco was imported, an account in writing, containing the plantation or manifest mark and number of every hoghead, cask, chest, or other package of tobacco intended to be manufactured, with the name of the ship or ships in which the same was imported, and the time when, and also the landing mark and number set on each hoghead, cask, chest, or other package, at the time of their importation into *Great Britain*; and also the exact weight which all, any, each, and every of such hogheads, casks, chests, or other packages, and the tobacco therein contained, were of at the time of their being first landed in *Great Britain*, and the exact weight the same were of at the time of delivery thereof to be manufactured; which account shall be signed by such importer or importers, or one of his, her or their known servants or agents, and also by such person or persons to whom such tobacco is delivered to be manufactured; or one of his, her or their known servants or agents, with their several and respective names and places of abode; and such importer and importers shall, at the time of their delivering in such accounts as aforesaid, write off from the entries made at the time and times the tobacco contained in such account was imported, and against each and every particular ship in which the same was imported, the weight of each particular hoghead, cask, chest, or other package, contained in such account of tobacco intended to be manufactured as aforesaid, in the very same manner and form as if the same tobacco had been delivered for exportation; and in case any importer or importers of tobacco shall neglect to give in such account as aforesaid, at the time, and in such manner and form in all respects, to all intents and purposes, as is herein before directed and required; or in case such account shall, at the time the same is given in, or at any time afterwards, appear to be false and fraudulent in any respect whatsoever, he, she or they knowingly offending in any or either of the cases aforesaid, shall forfeit and lose the sum of thirty pounds for every hoghead or other package of tobacco, an account of which is omitted to be given as before directed, or of which a wrong account shall knowingly be given; and the person or persons to whom such tobacco shall have been delivered to be manufactured, neglecting by him, her or themselves, or by his, her or their known servant or agent, to sign such account as aforesaid, or knowingly signing any fraudulent account, shall also forfeit and lose the sum of thirty pounds for every such hoghead or other package of tobacco, of which no account, or for which a fraudulent account is knowingly given.

VIII. And it is hereby further enacted by the authority aforesaid, That all and every person and persons who, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, shall import any tobacco into *Great Britain* from any of his Majesty's plantations in *America*, and who sell

sell or deliver the same, or any part thereof, to any person or persons whatsoever, shall, within fourteen days after the delivery thereof out of his custody, to the purchaser or purchasers thereof, or their order, give and deliver to the collector or other chief officer of the customs at the port or place where such tobacco was imported, an account in writing, containing the plantation or manifest mark and number of every hoghead, cask, chest or other package of tobacco, so sold or delivered, with the name of the ship or ships in which the same was imported, and times when, and also the landing mark and number set on each hoghead, cask, chest or other package, at the time of their importation into *Great Britain*, with the exact weight which all, and each, and every such hogheads, casks, chests or other packages, and the tobacco, therein contained were of, at the time of their being first landed in *Great Britain*; and also the exact weight thereof, at the time of their sale or delivery to the purchaser or purchasers thereof; which account shall be signed by such importer or importers, or one of his, her or their known servants or agents, and also by such person or persons to whom such tobacco is sold or delivered, or one of his, her or their known servants or agents, with their several and respective names and places of abode; and such importer or importers shall, at the time of their delivering in such accounts as aforesaid, write off from the entries made at the time and times the tobacco contained in such account was imported, and against each and every particular ship in which the same was imported, the weight of each particular hoghead, cask, chest or other package of tobacco contained in such account, in the same manner and form as if the said tobacco had been delivered for exportation; and in case any importer or importers of tobacco shall neglect to give in such account as aforesaid, at the time, and in such manner and form in all respects, and to all intents and purposes, as herein before directed and required, or in case such account shall at the time the same is given in, or at any time afterwards, appear to be false or fraudulent in any respect whatsoever, he, she or they knowingly offending in any or either of the cases aforesaid, shall forfeit and lose the sum of thirty pounds for every hoghead or other package of tobacco, an account of which is omitted to be given as before directed, or of which a wrong account shall be knowingly given; and the person or persons to whom, or to whose order such tobacco shall have been sold or delivered, neglecting by him, her or themselves, or his, her or their known servant or agent, to sign such account as aforesaid, or knowingly signing any fraudulent account, shall also forfeit and lose the sum of thirty pounds for every such hoghead or other package of tobacco, of which no account, or for which a fraudulent account is knowingly given.

to give the officer an account of the marks, numbers, and weights, &c. of every hoghead, sold, and the ship's name, &c.

Account to be signed by the importer and purchaser.

For or to write out from the entry the weight, &c.

Penalty of neglect, or giving a false account.

IX. And be it further enacted by the authority aforesaid, That from and after the twenty ninth day of *September* one thousand seven hundred and fifty one, no tobacco or tobacco stalks, exceeding twenty four pounds weight, nor any snuff exceeding

No tobacco, or tobacco stalks, above 24 lb. nor snuff above 10 lb.



to be carried  
by land from  
any port of  
importation,  
unless in  
manner here-  
in directed.

ceeding ten pounds weight, shall be in any form or manner whatsoever removed, carried, or conveyed by land from any port or place of importation in *Great Britain*, to any other port or place within this kingdom, unless in the manner herein after directed; that is to say, if it is unmanufactured tobacco, which is to be carried by land as aforesaid, the same shall not be conveyed, removed, or pass without a certificate being first had and obtained from the collector and comptroller, or other chief officers at the port or place where such tobacco was imported, together with the importer's oath thereto (in case such importer shall apply for the same) that the duties thereof were paid or secured at the importation, and by whom, and the time when, and in what ship or vessel, ships or vessels, the same and every part thereof was imported; and in case the person applying for the same, be a purchaser from the importer, then on oath of such purchaser, attesting the marks and numbers of the identical hoghead or hogheads so purchased, or out of which the said tobacco was taken, and from whom purchased, and the time when; and if it is tobacco stalks or snuff, or other manufactured tobacco which is to be carried by land as aforesaid, the same shall not be conveyed, removed, or pass without a certificate, and oath of the importer (in case the importer applies for the same) being first had and obtained as aforesaid, that such stalks were stripped or separated, or such snuff or other manufactured tobacco was made from one or more hoghead or hogheads of tobacco, for which the duties were by him paid or secured, at the time of importation; and in case the person applying for such certificate be a purchaser, such purchaser shall make oath, that such stalks were stripped or separated, or such snuff or other manufactured tobacco, was made from one or more hoghead or hogheads of tobacco, which had been delivered and received according to the directions of this act; which said several certificates such officer and officers are hereby required and directed to grant, and after writing the same off their books, to deliver to all and every person or persons, who shall apply to him or them for the same, without any fee or reward whatsoever for such certificates or oaths, on pain of forfeiting the sum of ten pounds for every such offence.

Officer to  
grant certifi-  
cates

on penalty of  
10 l.

Before re-  
moving  
such tobacco,  
the proprie-  
tor to insert  
on the back  
of the certifi-  
cate, the  
package,  
marks, num-  
bers, weight,  
and species,

X. And it is hereby enacted, That before any such tobacco, tobacco stalks or snuff for which such certificate is granted, shall be removed or carried by land as aforesaid, the proprietor, factor or agent thereof shall describe and insert on the back of such certificate, in a fair and legible manner, the names of each particular package in which such goods are contained, together with the particular marks and numbers set on each package, and also the true and exact weight of each particular species of goods contained in each particular package, and the place from whence the same are to be delivered, and to which they are to be carried and conveyed, and by whom, and the name of the person to whom the goods are consigned; and such proprietor, factor or agent shall subscribe his, her, or their name or names,

and

and make oath to the truth thereof; and the certificate so granted shall express the number of days it shall continue in force, and shall accompany the goods to such place to which they are to be carried and conveyed, and upon its coming to such place, the person or persons receiving the same, or to whom the goods belong, shall cause such certificate to be delivered to the chief officer of the customs, if any such there be; and in case there be no officer of the customs, then to the officer of the excise of the division whereunto such goods are carried and conveyed; and such officer is hereby directed to examine the same with the goods, and if they agree therewith, the goods may be taken away and disposed of by the person or persons to whom of right they belong or appertain, and such officer is thereupon to enter such certificate distinctly in a book to be kept by him for that purpose; and the officer of customs or excise receiving such certificate shall from time to time transmit an account of the same to the officer to be appointed by the high treasurer or commissioners of the treasury for keeping such accounts.

and to make oath thereof; certificate to accompany the goods,

and to be delivered to the officer where the goods are conveyed, &c.

and an account to be transmitted to the officer appointed by the treasury.

XI. And be it further enacted, That the officers of the customs who shall grant such original certificates at the port or place of importation, shall once in every month transmit duplicates thereof to the person to be appointed by the high treasurer or commissioners of the treasury for keeping the accounts herein after mentioned.

Officer granting certificates, to transmit duplicates monthly to the officer appointed by the treasury.

XII. And be it further enacted by the authority aforesaid, That if any tobacco or tobacco stalks exceeding twenty four pounds weight, or any snuff exceeding ten pounds weight, shall, from and after the said twenty ninth day of September one thousand seven hundred and fifty one, be found removing by land from the port or place of importation, without having one or other of the certificates herein before directed, all such tobacco, tobacco stalks and snuff, and the casks, chests, cases or other package containing the same, together with the horses, cattle, carts, waggons and all other carriages whatsoever, employed or in any wise made use of in the removing or carriage or conveyance of such tobacco, tobacco stalks and snuff, or any or either of them, shall be forfeited and lost, and shall and may be sued for and prosecuted by any officer or officers of the customs or excise in the manner herein after directed; and the carrier or other person employed or entrusted in the removing, carrying, or conveying such goods, or any of them, shall, besides the loss of his cattle and carriages, also be committed to the county gaol for the space of one month, by any justice of the peace for the county where the offence is committed, or the offender shall be found; and if any person or persons whatsoever shall counterfeit, forge, erase, or in any wise alter any such certificate or duplicate thereof, as herein before is mentioned and described, or shall cause or procure the same, or either of them to be counterfeited, forged, erased, or altered in any respect, he, she, or they so offending shall forfeit and pay the sum of fifty pounds for every such offence, to be sued for, recovered,

Tobacco or snuff, above a certain weight, found removing without a certificate, to be forfeited, with the horses and carriages;

and the carrier to be committed.

Penalty of counterfeiting a certificate.

covered, levied, and divided in the manner as is herein after expressed.

No tobacco,  
&c. to be  
shipped coast-  
wise, until  
entry made,

and if unma-  
nufactured, to  
be in the ori-  
ginal package,

with a certifi-  
cate of the  
duties being  
paid;

and if ma-  
nufactured,  
with a certifi-  
cate that the  
duties were  
paid for the  
tobacco of  
which the  
same was ma-  
nufactured.

Officers to  
grant such  
certificates  
gratis, under  
penalty of 10 l.

and the pro-  
prietor to in-  
sert on the  
back of the  
certificate the  
packages,  
marks, num-  
bers, weight  
and species.

XIII. And it is hereby further enacted by the authority afore-  
said, That from and after the said twenty ninth day of *Septem-*  
*ber* one thousand seven hundred and fifty one, no tobacco, to-  
bacco stalks or snuffs shall be shipped or laden on board any  
ship or vessel whatsoever, to be carried by water from any port  
or place whatsoever in *Great Britain*, to any other port or place  
whatsoever in *Great Britain*, until the same, and every part  
thereof, be first entered at the custom-house at the port where  
or nearest to the place where such goods shall be shipped and  
laden; and if it is tobacco unmanufactured which is to be car-  
ried by water as aforesaid, the same shall not be shipped or la-  
den on board any ship or vessel whatsoever, to be carried by wa-  
ter as aforesaid, but in the original package in which it was im-  
ported, preserving the same marks and numbers, nor without  
a certificate being first had and obtained from the collector and  
comptroller or other chief officer of the customs at the port or  
place where such tobacco was imported in *Great Britain*, that the  
duties thereof were paid or secured at the importation, and by  
whom, and the time when, and in what ship or vessel, ships or  
vessels, the same and every part thereof was imported; and if it  
is tobacco stalks or snuff, or other manufactured tobacco, which  
is to be carried by water as aforesaid, the same shall not be ship-  
ped or laden on board any ship or vessel whatsoever to be car-  
ried by water as aforesaid, without a certificate being first had  
and obtained from the collector and comptroller or other chief  
officer of the customs at the port or place where the tobacco  
was imported in *Great Britain*, from which such stalks were  
stripped or separated, or such snuff was made or manufactured,  
that the duties were paid or secured for such tobacco at the im-  
portation thereof; which said several certificates such officer or  
officers are hereby required and directed to grant and deliver to  
all and every person and persons being the importer or im-  
porters of such tobacco, or their known agents or servants, who  
shall apply to him or them for the same, without any fee or re-  
ward whatsoever, on pain of forfeiting the sum of ten pounds  
for every such offence.

XIV. And it is hereby further enacted, That before any such  
tobacco, tobacco stalks or snuff for which such certificate is  
granted, shall be shipped or laden on board any ship or vessel  
whatsoever in *Great Britain*, to be carried by water as aforesaid,  
the proprietor or proprietors thereof shall describe and insert on  
the back of such certificate, in a fair and legible manner, the  
names of each particular package in which such goods are con-  
tained, together with the particular marks and numbers set on  
each package, and also the true and exact weight of each parti-  
cular species of such goods contained in each particular package,  
and the place or places from whence the same were brought,  
and to which they are to be carried and conveyed by water as a-  
foresaid.

XV. And it is hereby further enacted, That such certificate as aforesaid shall, by the proprietor or proprietors of such tobacco, tobacco stalks and snuff, before the same be shipped or laden on board any ship or vessel for the purposes aforesaid, be delivered to the master or other person or persons taking charge of any ship or vessel, ships or vessels on board which such tobacco, tobacco stalks or snuff shall be shipped or laden, in order to be removed and carried by water as aforesaid; which certificate the master or other person or persons taking charge of any such ship or vessel, ships or vessels on board which any such tobacco, tobacco stalks or snuff shall be laden as aforesaid, shall immediately after his or their arrival in any port or place in *Great Britain* with such goods on board, deliver to the collector or other chief officer at such port or place, who is hereby directed and required to cause such goods to be examined by the said certificate, to see that they agree therewith; and if upon such examination it shall be found that such goods agree with the certificate in all respects, then such certificate shall be transmitted by him within the space of one month after he receives the same, to the person appointed by the high treasurer or commissioners of the treasury for the time being, for keeping the accounts herein after mentioned; and the same goods shall be discharged by the officer who examines them, and shall and may be taken away and disposed of by such person or persons to whom they are consigned, or to whom they of right belong or appertain.

Certificate to be delivered to the master of the vessel,

and by him to the chief officer of the port,

and to be transmitted to the officer appointed by the treasury.

XVI. And it is hereby further enacted, That if any tobacco, tobacco stalks or snuff shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, be found laden on board any ship or vessel whatsoever, at any port or place in *Great Britain*, without such certificate as aforesaid being first had and obtained, or without such certificate being on board any such ship or vessel with the goods to which the same belongs; or if upon examination it shall appear that such certificate is forged or counterfeited, or that it does not agree in all respects with the goods to which the same belongs; then, and in any or either of such cases, all such tobacco, tobacco stalks, and snuff, and the casks, chests, cases, or other packages containing the same, shall be forfeited and lost, and shall and may be seized and prosecuted by any officer or officers of the customs, in the manner herein after directed; and the master or other person or persons taking charge of any such ship or vessel, ships or vessels, shall forfeit and lose six pence per pound weight for every species of the goods aforesaid; and if any person or persons whatsoever shall counterfeit, forge, craze, or in any wise alter any such certificate as is herein last before-mentioned and described, or shall cause or procure the same to be counterfeited, forged, crazed, or altered in any respect, he, she or they, so offending, shall forfeit and lose the sum of one hundred pounds, to be sued for, recovered, levied, and divided, in the manner as herein after is expressed.

Tobacco, &c. shipped without such certificate,

to be forfeited,

and the master to pay 6d. per lb.

Penalty of counterfeiting such certificate.

Land-waiters  
books for  
entry and  
discharge of  
tobacco, to be  
transmitted  
monthly to  
the officers  
appointed by  
the treasury,

with copies of  
the entries for  
exportation,  
&c.

and accounts  
of tobacco  
manufactured  
by the im-  
porter, &c.

or sold by  
him.

Officer ap-  
pointed by  
the treasury  
to make  
entries of the  
accounts,

and where any  
thing shall ap-  
pear to be  
done against  
this act, im-  
mediately to  
transmit to

XVII. And be it further enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, the collector and comp-troller, or other chief officer or officers of the customs in the port of *London*, and also at every port or place in *Great Britain*, where any tobacco shall be imported, after the said twenty ninth day of *September* one thousand seven hundred and fifty one, from any of his Majesty's plantations in *America*, do once in every calendar month transmit or deliver to such person as shall be deputed and appointed by the high treasurer, or commissioners of the treasury for the time being, to receive the same, one of the land-waiters books, in which his account is entered and kept of the landing and discharging of tobacco imported in any ship or vessel at such port or place, from any of his Majesty's plantations in *America*; and also true and exact copies of every entry of tobacco for exportation, and of the several and respective in-dorsements relating thereto, which are delivered to the searcher or searchers, or any other officer or officers, at such port or place where any such tobacco is entered and shipped for exportation to foreign parts; and also true and ex-act copies of every account which, pursuant to the directions herein before given, shall be delivered to any officer or officers of the customs at such port or place, of tobacco intended to be manufactured by the importer or importers thereof, on his, her or their own account, or which shall be delivered by the im-porter or importers thereof to any other person or persons what-soever to be manufactured for the account of such importer or importers; and also true and exact copies of every account which, pursuant to the directions herein before given, shall be delivered to any officer or officers at such port or place by the importer or importers of tobacco sold by them to any other per-son or persons whatsoever: which said several accounts are to be kept by the said person who shall be deputed as aforesaid by the high treasurer or commissioners of the treasury for the time be-ing, who is to keep proper books, and enter therein the said several and respective accounts so transmitted or delivered to him; which several entries shall be made, and an account there-of kept, in such manner and form, that the marks and numbers on every hoghead, cask or other package of tobacco, with the weights thereof, at the importation thereof, may be compared and chequed with the marks, numbers and weights, at the ex-portation thereof, or when sold or delivered for home consump-tion, or to be manufactured, to the intent that the identity of al-such tobacco imported, exported, sold, or delivered to be manu-factured, may be thereby known and ascertained; and when any thing shall appear to him to be done or practised at any port or place, contrary to the directions and intentions of this act, he shall immediately transmit an account thereof in writing to the commissioners of the customs for the time being, at *London*, or a *Edinburgh* respectively, under whose management the same shall happen

happen, and a copy of such representations made by him to the commissioners of the customs, either at *London* or *Edinburgh*, shall be by him, once in every six months, laid before the commissioners of his Majesty's treasury, or the high treasurer for the time being; and if any collector, or other chief officer or officers of the customs, at any port or place of *Great Britain*, shall neglect or refuse to transmit and deliver one of the land-waiters books, and a true copy of every entry of tobacco for exportation, and of the several indorsements relating thereto, herein before-mentioned and described, and also true copies of all or any or either of the accounts herein before-mentioned and described, within the time and times herein before limited and appointed for that purpose, he and they so neglecting or refusing shall forfeit fifty pounds for every such neglect or refusal, to be sued for, recovered, levied and divided in the manner herein after expressed.

the commissioners of the customs an account thereof,

and to the treasury once in six months. Penalty on collectors, &c. not transmitting land-waiters books, &c.

XVIII. And be it further enacted by the authority aforesaid, That all and every person and persons whatsoever who shall import any tobacco into *Great Britain* from any of his Majesty's plantations in *America*, shall within the space of twenty one calendar months, to be reckoned and computed from the said twenty fifth day of *March* one thousand seven hundred and fifty two, transmit and deliver to the collector or other chief officer of the customs at the port or place where any such tobacco is imported, a true account in writing under his hand, and their respective hands, of all such tobacco which he shall, at the time of giving in such account, have in his custody, power or possession; which account shall contain the number of hogsheds, casks, chests, cases or other packages in which such tobacco is contained, together with all, and each, and every of the several and respective marks, numbers and weights set upon all and each and every such hogshed, cask, chest, case or other package, and the particular warehouses, storehouses, cellars, or other places where the same are then lodged and lie; and all and every such person or persons shall, from and after the expiration of the aforesaid term of twenty one months, transmit and deliver annually, and every year, between the first and twenty fourth days of *June* in each year, to such collector or other chief officer of the customs, at the port or place where any such tobacco is imported, a true account in writing under his and their respective hands, of all such tobacco which he shall, at the time of giving in such account, have in his custody, power or possession which has been entered in *Great Britain* eighteen months, or more, at the time of giving in such account; which account shall also contain the number of hogsheds, casks, chests or other packages in which such tobacco is contained, and also all, and each, and every of the several and respective marks, numbers, and weights set upon all, and each and every such hogshed, cask, chest or other package, and the particular warehouses, storehouses, cellars or other places where the same are then lodged and lie; and every such collector or other chief officer

Importer to transmit to the collector, within 21 months from 25 March 1752, an account of all tobacco then in his custody;

and the like account annually;

the goods to be examined thereby, and the accounts to be transmitted to the officer appointed by the treasury.

And it is upon receipt of such accounts, forthwith to cause the several and respective goods contained in such accounts to be examined thereby, and then to transmit such accounts to the person appointed by the high treasurer or commissioners of the treasury, for keeping the accounts herein before mentioned; and if any importer or importers of tobacco shall neglect to give in such account and accounts as aforesaid, at the time and times, and in such manner and form in all respects, as is herein before limited, directed and appointed, or if such account or accounts shall, upon examination, appear to be false or fraudulent in any respect whatsoever, he, she or they so offending in both or either of these cases, shall forfeit and lose the sum of fifty pounds for each and every such offence.

**Penalty.**

Penalty of altering or defacing the marks set upon the package.

XIX. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall at any time or times hereafter, in order to defeat any of the purposes or intents of this act, erase, cut out, burn out, blot out or in any wise whatsoever alter, change or deface any mark or number, marks or numbers whatsoever, which was burnt in, or set upon any hoghead, cask, chest, case or other package whatsoever of tobacco, in the plantations in *America*, or which was burnt in or set thereon in *Great Britain*, upon the importation or landing thereof, or which was burnt in or set thereon in *Great Britain*, upon the exportation thereof from thence to foreign parts, he, she and they so offending shall forfeit and lose the sum of twenty pounds for each hoghead, cask, chest, case or other package whatsoever of tobacco, the mark whereof shall be so altered or defaced as aforesaid, to be sued for, recovered, levied and divided as is herein after directed.

Penalty of importing tobacco otherwise than in cask, chest or case of 450 lb. weight, at the least.

XX. And be it further enacted by the authority aforesaid, That from and after the said twenty fifth day of *March* one thousand seven hundred and fifty two, no tobacco shall be brought or imported into the kingdom of *Great Britain* otherwise than in cask, chest or case only, each cask, chest or case whereof shall contain four hundred and fifty pounds weight of neat tobacco at the least, under the penalty of the forfeiture of all such tobacco as shall be imported contrary to this act, together with the casks, chests, cases or other package containing the same.

Unmanufactured tobacco not to be exported but in casks, &c. of 425 lb. weight, or more.

XXI. And be it further enacted by the authority aforesaid, That from and after the said twenty fifth day of *March* one thousand seven hundred and fifty two, no tobacco unmanufactured shall be laden or laid on board in any ship or vessel whatsoever in any port or place in *Great Britain*, to the intent to be exported to foreign parts, but in casks, chests or cases only, containing four hundred and twenty five pounds weight or more of tobacco in each cask, chest or case, under the penalty of the forfeiture of such tobacco, and of the cask, chest or case containing the same; except casks or other packages containing samples of tobacco shipped and exported at the same time and place, and with the same hogheads or casks out of which such samples were taken;

taken; and the same goods and package shall and may be seized and prosecuted by any officer or officers of the customs in such manner and form as herein after is expressed.

XXII. And be it further enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, no tobacco or tobacco stalks exceeding twenty four pounds weight, nor any snuff exceeding ten pounds weight (which shall have been removed or carried coastwise, or by water, from the port or place of importation in *Great Britain*, to any other port or place within this kingdom) shall afterwards be removed or carried from thence by land to any other place whatsoever, without a certificate being first had and obtained from the collector and comptroller, or the chief officers of the customs at the port or place to which such goods were carried coastwise, or by water, as aforesaid, that it appears to them by the entries of the certificate or certificates in their books which came with the goods from the port or place of importation, that the duties thereof were paid or secured at the said port or place of importation; and also in what ship or vessel, ships or vessels, such goods and every part thereof came or were brought coastwise, or by water, as aforesaid, and the time when; and also that the person or persons who shall apply to them for the same, had made oath to the truth thereof; which said certificate such officers are hereby required and directed, after writing the same off in their books, to grant and deliver to every person and persons who shall apply to them for the same, and shall immediately transmit a duplicate of such certificate to the person appointed by the lord high treasurer, or the commissioners of the treasury, for the time being, for keeping the accounts herein after mentioned; and that before any such tobacco, tobacco stalks or snuff for which such certificate is granted, shall be removed or carried by land as aforesaid, the proprietor thereof, or his factor or agent, shall describe and insert on the back of such certificate, in a fair and legible manner, the names of each particular package in which such goods are contained, together with the particular marks and numbers set on each package, and also the true and exact weight of each particular species of such goods contained in each particular package, and the place and places from whence the same were brought, and to which they are to be carried and conveyed, and the name of the person to whom the same shall be sent, to which such proprietor, factor or agent shall subscribe his, her or their name or names, and make oath to the truth thereof; and if any tobacco, tobacco stalks or snuff, exceeding the respective quantities before mentioned, shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, be found removing by land from the port or place of its importation, without such certificate therewith as is herein before directed to be granted by the proper officers; or if upon examination it shall appear that such certificate is forged or counterfeited, all such tobacco, tobacco stalks and snuff, and the

No tobacco, stalks or snuff, above a certain weight, carried coastwise, to be afterwards removed by land, without a certificate of the duties being paid.

Officers to grant such certificate, and to transmit a duplicate to the officer appointed by the treasury.

Proprietor to insert on the back of the certificate, the packages, &c.

and make oath thereof.

Penalty of removing tobacco without certificate, &c.

casks,



and of coun-  
terfeiting  
thereof.

casks, chests, cases or other package containing the same, together with the horses, cattle, carts, waggons, and all other carriages whatsoever employed, or in any wise made use of in the removing, or carriage or conveyance of such tobacco, tobacco stalks and snuff, or any or either of them, shall be forfeited and lost, and shall and may be seized and prosecuted by any officer or officers of the customs, in the manner herein after directed; and the carrier or other person employed or intrusted in the removing, carrying or conveying such goods, or any of them, shall, besides the loss of his cattle and carriages, also forfeit and lose the sum of ten pounds, and be committed to the county gaol for one month, by any justice of the peace for the county where the offence is committed or the offender shall be found; and if any person or persons whatsoever shall counterfeit, forge, craze or in any wise alter any such certificates or duplicate thereof, as are directed by this act, or shall cause or procure the same or either of them to be counterfeited, crazed or altered in any respect, he, the or they so offending shall forfeit and lose the sum of one hundred pounds for every offence, to be sued for, recovered, levied and divided in the manner as herein after is expressed.

No tobacco, stalks or snuff, above a certain weight, to be carried by land, unless the species be marked with large letters on the package.

Penalty.

XXIII. And be it further enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, no tobacco or tobacco stalks exceeding the quantity of twenty four pounds weight, nor any snuff exceeding ten pounds weight, shall be conveyed or carried by land from any place in *Great Britain* to any other place in *Great Britain*, in any hoghead, cask, chest or package, unless such hoghead, cask, chest or package be stamped or marked on the outside, with the respective words, tobacco, tobacco stalks or snuff, in large letters, not less than three inches in length, under the penalty and forfeiture of all such tobacco, tobacco stalks or snuff, with the package thereof, and one shilling for every pound weight thereof, to be paid by the owner of such tobacco, tobacco stalks or snuff.

No drawback to be allowed for tobacco mixed with rubbish, &c. Penalty of entering such for exportation, or any other thing for tobacco.

XXIV. And be it further enacted by the authority aforesaid, That no drawback shall be allowed for any tobacco which is mixed with rubbish or dirt, or any other matter or thing whatsoever; and all and every person or persons who shall enter or ship for exportation, or cause to be entered or shipped for exportation, any tobacco mixed with rubbish or with dirt, or any other matter or thing whatsoever, or who shall enter any thing as tobacco for exportation, and which upon examination by the proper officers, shall appear not to be tobacco, shall forfeit all such goods, and the casks, and other package in which they are contained, and also the sum of fifty pounds of lawful money of *Great Britain*, for each and every hoghead or other package thereof.

No tobacco to be shipped for exportation (except to

XXV. And be it further enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, no tobacco either manufactured

manufactured or unmanufactured shall be entered or shipped for Ireland) unless exportation to any parts beyond the seas (*Ireland only excepted*) in vessels of 70 tons, or upwards, in any ship or vessel whatsoever, unless such ship or vessel shall be of the burthen of seventy tons or upwards; and if any officer or officers of the customs shall apprehend, or have reason to believe, that any such ship or vessel bound to foreign parts, and having tobacco on board her, shall not be of the burthen of seventy tons or upwards, it shall and may be lawful for such officer or officers to stop and detain such ship or vessel, and the whole cargo laden on board her, of tobacco, and all other goods, until he or they shall cause such ship or vessel to be admeasured, according to the admeasurement prescribed by an act passed in the sixth year of the reign of his late majesty King George the First, (intituled, *An act for preventing frauds and abuses in excise, customs, stamp duties, post office, and house money;*) and if it shall appear by such admeasurement, that any such ship or vessel is of the burthen of seventy tons or upwards, the officer or officers so stopping and detaining her and her cargo, shall not be subject or liable to any action for damages occasioned by such stoppage and detention; and if the master or commander of any ship or vessel outward bound to foreign parts, having tobacco on board her, shall enter and clear out such ship or vessel in the collectors book at the custom house, as of the burthen of seventy tons or upwards, and such ship or vessel shall not be of so great burthen, according to the admeasurement prescribed by the aforesaid act, he shall forfeit and lose the sum of one hundred pounds for every such offence.

according to  
6 Geo. I. c. 21.

Penalty on  
master clearing out vessels  
as of 70 tons,  
not being of  
that burthen.

XXVI. And be it further enacted by the authority aforesaid, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, where any ship or vessel whatsoever under the burthen of seventy tons coming or arriving from foreign parts, or having cleared outwards in *Great Britain* for foreign parts, and having on board one hundred pounds weight of tobacco, or any tobacco stalks, or stems stript from the leaf, or fifty pounds weight of snuff, shall be found at anchor, or hovering within the limits of any of the ports of this kingdom, or within two leagues of the shore, or shall be discovered to have been within the limits of any port, and not proceeding on her voyage, wind and weather permitting, (unless in case of unavoidable necessity and distress of weather, of which necessity and distress the master, purser or other person having or taking the charge or command of such ship or vessel, shall give notice to, and make proof of, before the collector or other chief officer of the customs of such port as aforesaid, immediately after the arrival of such ship or vessel into the said port,) all such tobacco and tobacco stalks, or stems stript from the leaf, and snuff, together with the hogheads, bags, boxes, casks, or other package whatsoever, containing the same goods, or the value thereof, shall be forfeited and lost, (whether bulk shall then have been broken or not,) and the master or other person taking charge of every such ship or vessel shall forfeit and lose the sum of

Penalty on  
vessels under  
70 tons, with  
tobacco, &c.  
above a cer-  
tain weight,  
being found at  
anchor, or  
hovering near  
the ports, or  
within two  
leagues of the  
shore, unless  
in case of dis-  
tress, &c.

Penalty on  
vessels above  
70 tons found  
at anchor, or  
hovering as  
afore said.

All tobacco,  
&c. which shall  
be condemn-  
ed, to be  
burnt,

and the al-  
lowance pay-  
able to the of-  
ficer who shall  
seize the same,  
to be paid out  
of the customs,

after the rate  
of 6 d. per  
pound for to-  
bacco or snuff,

and 1 d. per  
pound for  
stalks or da-  
maged tobac-  
co.

Officer to cer-  
tify to the  
commissioners  
the quantity  
burnt,

and they are  
to grant an  
order for pay-  
ment of the  
reward.

of one hundred pounds ; and the same goods and package shall and may be seized and prosecuted, or the value thereof be sued for by any officer or officers of the customs, in such manner and form as herein after is expressed, any law, statute or usage to the contrary notwithstanding ; and if any ship or vessel whatsoever above the burthen of seventy tons, having such goods on board as afore said, either homeward bound or outward bound, shall be found at anchor, or hovering as afore said, and no notice of distress be given as afore said, the master or other person taking charge of every such ship or vessel shall forfeit and lose the sum of one hundred pounds.

XXVII. And be it enacted by the authority afore said, That from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, all tobacco, tobacco stalks and snuff which shall be seized and condemned, shall be burnt and destroyed in the presence of the collector and comptroller of the customs for the port where such tobacco shall happen to be at the time of such condemnation, or in the presence of such officer as shall be appointed by them for that purpose ; and if there shall be no such officer of the customs at the place where such tobacco shall be at the time of the condemnation thereof, then in the presence of the collector or supervisor of excise of the district in which such place is situate ; and that all rewards or allowances to which the officer or officers who shall seize and prosecute the same, are intitled to by law, shall be paid by the receivers general of the customs at *London* or *Edinburgh* respectively, or by the respective collector in the out-ports where such tobacco, tobacco stalks or snuff was seized, and burnt or destroyed, to such officer or officers, out of any of the duties or revenues arising from the customs applicable to incidents ; that is to say, if it is tobacco or tobacco snuff, so burnt and destroyed, the same shall be paid at and after the same rate and proportion, as if the said tobacco or tobacco snuff had been sold on condemnation for six pence *per* pound ; and if it is tobacco stalks, or damaged tobacco, then the officer so seizing, shall have and be intitled unto one penny *per* pound, for every pound's weight of tobacco stalks or damaged tobacco so condemned and burnt, in lieu of all other allowances.

XXVIII. Provided always, That the officers of customs or excise respectively, in whose presence the same shall be burnt, shall certify to the commissioners of the customs, in such part of the united kingdom where the same shall be burnt, the exact quantity so burnt, whereupon the said commissioners shall grant their order for the payment of the said rewards or allowances in manner above mentioned ; and if the same shall have been burnt in the presence of such officer of excise, then the said commissioners shall order the same to be paid by the receivers general of the customs, in either part of the united kingdom, as the same shall happen.

XXIX. And whereas some doubts have arisen, whether the *hands* which are given to the crown for the payment of the several and re-  
*spective*

pective duties on tobacco, within eighteen months as the law directs, ought on the expiration of the said eighteen months to be put in suit, and whether any interest shall accrue thereon to the crown, from and after the expiration of the said eighteen months until the said bonds shall be vacated by a proper debenture to be made out for that purpose, inasmuch as the exporter upon the exportation of the tobacco within the time limited by law, which is three years, is to be paid or allowed, to draw back the whole duty or the security vacated on the bond or bonds given on the importation of the same tobacco; now to clear up and remove all such doubts for the future; be it declared and enacted by the authority aforesaid, and it is hereby declared and enacted, That all bonds which have been given, and are now subsisting at the time of making this act, for the several and respective duties on tobacco, or which shall hereafter be given for the payment of the said duties, are and shall be deemed and taken to be due and payable immediately upon the day mentioned in the condition of the said bond for payment thereof; and that such interest shall be paid to the crown, on all such bonds as is directed by an act of parliament made in the fourth year of her late majesty Queen Anne, (intituled *An act for continuing an additional subsidy of tonnage and poundage, and certain duties upon coals, culm and cinders, and additional duties of excise; and for settling and establishing a fund thereby, and by other ways and means for payment of annuities to be sold for raising a further supply to her Majesty for the service of the year one thousand seven hundred and six, and other uses therein mentioned*) which interest shall be computed from the day the bond becomes due, to the day whereon it shall be paid off in money, or the day the searcher certifies upon the debenture, that the tobacco was thipt for exportation, notwithstanding such tobacco doth or shall remain unexported, and the three years (being the time limited for the allowance of the drawback on exportation) shall not be expired, and no such security shall hereafter be vacated, until all such interest shall be paid thereon; any law, usage or custom to the contrary notwithstanding.

XXX. And be it further declared and enacted by the authority aforesaid, That it shall and may be lawful to and for the chancellor and under treasurer of his Majesty's court of Exchequer, the lord chief baron, and other barons of the said court of the degree of the coif, or any or either of them, to grant his or their *Fiat* for the issuing of process of immediate extent against any person or persons who has or have, or shall have given his or their bond to the crown, for duties on tobacco, although the day mentioned in the condition of the said bond for payment be not come, upon an affidavit laid before him, by one of the securities, or executor or administrator of such security, that the person bound to the crown in such bond is delayed in his circumstances, and that the crown's debt is in danger of being lost, upon some more speedy method than the usual way of proceeding be forthwith had for recovery thereof; and if the crown recovers the money due on such bond, before the day of payment

Bonds for payment of the duties on tobacco,

to be due on the day of payment mentioned in the bond, and interest thereon to be paid to the crown, according to 4 Anne, c. 6.

Exchequer may grant a *fuit* for process of immediate extent for payment of the bonds before due,

upon affidavit that the debt is in danger.

Crown recovering thereon, the obligor shall be allowed

the usual discounts.

shall become due, the obligor is to be allowed out of the money so recovered the usual discounts

XXXI. *And whereas by an act made in the twenty first year of his present Majesty's reign, (intituled, An act for granting to his Majesty a subsidy of poundage upon all goods and merchandizes to be imported into this kingdom; and for raising a certain sum of money by annuities, and a lottery, to be charged on the said subsidy; and for repealing so much of an act made in the twentieth year of his present Majesty's reign, as enacts, that prize goods and merchandizes may be exported, without paying any duty of custom or excise for the same) it is provided, That the importers of tobacco shall, upon paying down the subsidy thereby granted, have the same allowance with respect to the said subsidy, as they are intitled to by any law now in force upon tobacco imported; but no allowance is given by the said act to the importers of tobacco, when the said subsidy is bonded, which has been found detrimental to trade; be it therefore enacted by the authority aforesaid, That the importers of tobacco shall, from and after the first of June one thousand seven hundred and fifty one, have the same allowances and discounts on giving bonds for the said subsidy, or paying the same before they become due, as they are now intitled to by any law now in force upon bonds given for tobacco imported; and that if any importer of tobacco who hath already given security, or shall before the said first of June one thousand seven hundred and fifty one, give security for the said subsidy, shall be desirous to discharge his bond or bonds, or any part thereof in ready money, before the expiration of eighteen months from the date thereof, he shall be abated upon such bond or bonds so much as the discount at the rate of seven per centum per annum shall amount to in proportion to the time unexpired.*

Importers of tobacco to have a discount on giving bonds for the said subsidy, or paying the same before due, &c.

12 Ann. st. 2. c. 8.

XXXII. *And whereas by an act of parliament made in the twelfth year of the reign of her late majesty Queen Anne, (intituled, An act for the encouraging the tobacco trade) it was enacted, That any person importing tobacco, that should pay down in ready money the subsidy of one penny per pound, due and payable by the act of the twelfth year of the reign of his late majesty King Charles the Second, or by any act or acts continuing the same, and should then desire to have the said tobacco put into warehouses under the queen's and merchants locks for the security of the remainder of the duties, the merchant or his servants should have free access into the said warehouse at all seasonable times, which said act was to continue in force for five years, and to the end of the then next session of parliament: and whereas by an act of parliament passed in the fifth year of the reign of his late majesty King George the First, (intituled, An act for continuing an act made in the twelfth year of the reign of her late majesty Queen Anne, (intituled, An act for encouraging the tobacco trade) it is declared, That the putting of tobacco into warehouses had been found beneficial to the tobacco trade; and therefore enacted, That the said recited act of the twelfth year of the reign of her late majesty Queen Anne should continue in force during such time as the respective duties on tobacco should respectively continue in force: and whereas doubts*

5 Geo. 1. c. 7.

*doubts have arisen, whether the said recited act of the twelfth year of the reign of her said late majesty Queen Anne is now in force; for obviating whereof, be it further enacted by the authority aforesaid, That the said act, so far as the same relates to the putting tobacco into warehouscs, and every article, rule, clause, matter and thing therein contained, shall be and continue, and are hereby declared to be in full force.*

The recited act of 12 Ann. so far as it relates to putting tobacco into warehouscs, to be in force.

XXXIII. And be it further enacted by the authority aforesaid, That one moiety of the several penalties and forfeitures in this act before mentioned, shall be to the use of his Majesty, his heirs and successors, and the other moiety to the use of such person and persons as shall inform, prosecute or sue for the same; and that all the same penalties and forfeitures shall and may be prosecuted and sued for, and the causes and controversies arising thereupon, tried, heard and determined in any of his Majesty's courts of record at *Westminster*, (if the offence shall be committed in *England*, or if the offender or offenders be in *England* at the time of commencing the prosecution) or in the court of *Exchequer* at *Edinburgh*, (if the offence shall be committed in *Scotland*, or if the offender or offenders be in *Scotland* at the time of the commencing the prosecution) at the election of the commissioners of his Majesty's customs in that part of the said united kingdom where the offence or offences shall be committed, wherein no scoin, protection, wager of law, or more than one imparlance shall be allowed; any law, usage or custom to the contrary notwithstanding.

Recovery of the penalties and forfeitures.

XXXIV. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, the defendant or defendants in such action or suit may plead the general issue, and give this act, and the special matter in evidence, at any trial to be had thereupon; and that the same was done in pursuance of and by authority of this act; and if it shall appear so to have been done, then the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared, or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as defendants have in other cases by law.

Limitation of actions.

General issue.

Treble costs.

### C A P. XLII.

*An act to explain and amend an act passed in the last session of parliament, intituled, An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the duchy of Lancaster, which adjoineth thereto; and for making the said act more effectual.*

WHEREAS several doubts have arisen in the execution of an act passed in the twenty third year of his present Majesty's reign,

2 Geo. 2. c. 27.

Attornies and  
solicitors sub-  
ject to the pro-  
cesses of the  
court.

So much of the  
recited act as  
relates to the  
dividing the  
city and liber-  
ty of West-  
minster, &c.  
into 3 divisi-  
ons, repealed.

Court to be  
held in two  
divisions.

Days of sitting  
of the court  
for each divi-  
sion.

*reign, intituled, An act for the more easy and speedy recovery of small debts within the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto; and the said act has, in many respects, been found insufficient to answer the purposes thereby intended: and whereas doubts have arisen, whether attornies and solicitors are subject to the processes of the said court: therefore, for explaining, amending, and making the said act more effectual, may it please your most excellent Majesty, that it may be enacted, and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all persons admitted as attornies or solicitors shall be, and they are hereby declared to be subject to all the processes of the said court of requests for the city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto; any thing in the said act to the contrary in any wise notwithstanding.*

II. *And whereas the commissioners nominated and appointed to put the said act in execution, are directed by the said act to meet in three different divisions, one day in each week: and whereas divers mistakes and inconveniencies have happened, for want of knowing the particular bounds and limits of the several divisions or districts: for remedy thereof, be it enacted by the authority aforesaid, That from and after the twenty fourth day of June one thousand seven hundred and fifty one, so much of the said act as relates to the dividing the said city and liberty of Westminster, and that part of the dutchy of Lancaster which adjoineth thereto, into three districts or divisions, shall be, and is hereby, repealed.*

III. *And be it further enacted by the authority aforesaid, That the commissioners nominated and appointed, or to be nominated and appointed, by virtue of the said act, are hereby authorized and required to assemble, sit and hold the said court in and for the said city and liberty, and that part of the dutchy of Lancaster which adjoineth thereto, in two divisions only; videlicet, the several parishes of Saint Margaret, Saint John the evangelist, Saint Martin in the Fields, Saint Paul Covent Garden, Saint Clement Danes, Saint Mary le Strand, and that part of the dutchy of Lancaster which adjoineth to the said liberty of Westminster, to be one of the said divisions; and the several parishes of Saint George Hanover Square, Saint James, and Saint Anne, to be the other division, in such manner as is herein after mentioned and declared; videlicet, the commissioners for the said several parishes of Saint Margaret, Saint John the evangelist, Saint Martin in the Fields, Saint Paul Covent Garden, Saint Clement Danes, Saint Mary le Strand, and that part of the dutchy of Lancaster which adjoineth to the said liberty of Westminster, on every Thursday in every week, or oftener, if necessary, in some convenient part of the said division; and the said commissioners for the parishes of Saint George Hanover Square, Saint James, and Saint Anne, and every Tuesday in every week, or oftener, if necessary, in some convenient part of the said division, for the putting*

putting in execution the several powers and authorities granted by this and the said former act.

IV. And whereas the erecting or hiring, fitting up and maintaining two convenient court-houses for the purposes aforesaid, will be attended with very great expence to the officers appointed to put the said act of the last session of parliament in execution: and whereas by the said act the said officers are obliged to pay an annual allowance to the counsel of the Marshalsea Court; which expences and allowances, and other necessary charges attending the execution of the said act, have rendered, and will continue to render, the profits arising to the said officers of the court very inconsiderable: therefore, to enable the said officers to defray such expences, and in order to provide some compensation for their trouble, be it enacted by the authority aforesaid, That from and after the said twenty fourth day of June, instead of the fees limited by the said former act, the several fees hereafter limited, and no other fee or fees, shall be taken for the respective services of the high bailiff of the city and liberty of Westminster for the time being, and the clerks of the said court; that is to say,

The fees formerly to be taken in lieu of those limited by the former act.

*For issuing out every summons, to the clerk or clerks four pence.*

*For the service of such summons, to the high bailiff four pence.*

*For every hearing, to the clerk or clerks six pence, to the high bailiff three pence.*

*For an execution, to the clerk or clerks one shilling, to the high bailiff one shilling and six pence.*

*For paying money into court, to the clerk or clerks seven pence.*

*For acknowledging satisfaction in full, to the clerk or clerks six pence.*

*For every search, to the clerk or clerks two pence.*

*For calling the defendant before the court, to the clerk or clerks two pence, to the high bailiff two pence.*

*For every order upon hearing, and the entry thereof, to the clerk or clerks four pence.*

*For the service of every such order, to the high bailiff two pence.*

*For a nonsuit on the plaintiff's not appearing, to the clerk or clerks four pence.*

A table of which fees shall be hung up by the clerks of the said court, or one of them, in some publick and conspicuous place of the two court-houses where the said commissioners shall meet for the purposes aforesaid, to the end that all persons may at all times see and read the same.

Table of fees to be hung up in each court-house.

V. And whereas by the said act of the last session of parliament four clerks are appointed for the said three divisions, which divisions are by this act reduced to two; be it enacted by the authority aforesaid, That upon the death, resignation or removal of any one of the said four clerks, the remaining three clerks shall continue to act, and upon the death, resignation or removal of any one of the said three clerks, then the remaining two shall in like manner proceed to act; and shall continue to carry into execution,

The number of clerks to be reduced upon the death, resignation or removal, &c.



tion all the powers and authorities by the said former and this present act vested in the said clerks; nor shall the commissioners proceed to choose another clerk in the place or stead of any one so dying, resigning or being removed, until the number of the said clerks shall be reduced to one; at which time, or so soon after as the same shall be publickly known, the commissioners appointed to put the said former and this present act in execution shall proceed to elect another clerk, to be joined with the surviving or remaining clerk, according to the directions for that purpose in the said former act, so as such number of clerks shall not at any time afterwards exceed the number of two.

Clerks not to act as justices in any matters relative to the jurisdiction of the court.

VI. And be it further enacted by the authority aforesaid, That no clerk or clerks of the said court shall act as a justice or justices of the peace in any matter or thing whatsoever relative to the proceedings of the said court, or any matter which may arise in relation to the jurisdiction of the same: but nothing in this or the said former act contained shall prevent or exclude any clerk of the said court from acting as a justice of the peace in any matter not relative to the business or jurisdiction of the said court.

Persons residing within the limits, subject to the jurisdiction though the plaintiff be not resident therein.

VII. *And whereas doubts have arisen, whether any person or persons residing within the city and liberty of Westminster, or that part of the duchy of Lancaster adjoining thereto, and who are indebted to persons who did not reside within the limits aforesaid, are subject to the jurisdiction of the said court:* for remedy thereof, be it declared and enacted by the authority aforesaid, That all persons inhabiting within the limits aforesaid shall be, and are hereby declared to be, subject to the process and jurisdiction of the said court, although the plaintiff suing out such process shall not inhabit or reside within the said city and liberty of Westminster, and that part of the duchy of Lancaster which adjoineth thereto.

### C A P. XLIII.

*An act for the more effectual preservation of the turnpike roads in that part of Great Britain called England; and for the disposition of penalties given by acts of parliament relating to the highways, in that part of Great Britain called England, and for enforcing the recovery thereof; and for the more effectual preventing of mischiefs occasioned by the drivers riding upon carts, drays, carriages and waggons, in the city of London, and within ten miles thereof.*

WHEREAS great sums of money have been expended in mending and repairing the turnpike roads of this kingdom, yet the said roads cannot be kept in sufficient repair, and are in many places become ruinous, by the great and excessive weight, which the number of horses now allowed by law to draw waggons and other carriages enable carriers and other persons using the said roads to cast upon the same: for remedy whereof, be it enacted by the King

most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That <sup>Trustees of the</sup> from and after the first day of *July* one thousand seven hundred <sup>roads may</sup> and fifty two, it shall and may be lawful for all trustees or com- <sup>take 20s. a-</sup> missioners appointed, or hereafter to be appointed, by any act <sup>bove the tolls</sup> or acts of parliament, for the repair of any highway or high- <sup>for every</sup> ways in that part of *Great Britain* called *England*, in their re- <sup>waggon, &c.</sup> spective districts, or any five of them, or any person or persons <sup>drawn with 6</sup> impowered by them, or any five of them, to demand, receive <sup>horses, passing</sup> and take, and they are hereby required to demand, receive and <sup>through any</sup> take, at all the gates and bars they have erected, or shall erect, <sup>turnpike, &c.</sup> for the receiving and collecting any toll or duty, the sum of twenty shillings for every waggon or other carriage drawn by six horses, before such waggon or other carriage shall be permitted to pass through any such toll-gate or toll-bar, over and above the tolls or duties already granted, or hereafter to be granted; which said additional toll or duty hereby granted and made payable, shall and may be levied and recovered upon any person who shall after demand made thereof refuse or neglect to pay the same, in such manner as any other toll or duty payable at the same turnpike-gate or bar is by law to be levied and recovered; and the money arising from such additional duty shall be applied to the repair of the highway where the same shall be collected.

II. And be it further enacted by the authority aforesaid, That <sup>Penalty of ta-</sup> if any person or persons shall take off, or cause to be taken off, <sup>king off horses</sup> any horse or horses from any waggon or other carriage, at or be- <sup>to avoid the</sup> fore the same shall come to any of the said gates or turnpikes, <sup>duty,</sup> with intent to avoid paying the said additional toll or duty, each and every person so offending, and being convicted thereof be- fore the said trustees, or any five or more of them, or one or more justice or justices of the peace for the county, riding or di- vision, where the offence shall be committed, upon the oath of one or more credible witnes or witnesses, which oath the said trustees, or any five or more of them, or the said justice or jus- tices, are hereby impowered to administer, shall forfeit and pay to the informer the sum of five pounds; which sum, in case the <sup>to belevied by</sup> same be not forthwith paid, shall be levied by distress and sale <sup>distress and</sup> of the offender's goods, by warrant under the hand and seal, or <sup>sale.</sup> hands and seals of the said trustees, or any five or more of them, or the said justice or justices, rendering the overplus to the owner (if any be) on demand, after deducting the reasonable charges of making such distress and sale, to be settled by the said trustees, or any five or more of them, or by the said justice or justices.

III. And be it enacted and declared by the authority aforesaid, <sup>Persons driv-</sup> That every person who shall drive any waggon or other carriage <sup>ing with more</sup> upon any part of any turnpike road with more horses than such <sup>horses than</sup> waggon or other carriage shall on the same day pass through <sup>such waggon</sup> any turnpike-bar or gate with, shall be deemed and adjudged <sup>shall pass with</sup> the same day, <sup>to deemed to in-</sup>

cur the penalty. to have taken off the said horses with intent to avoid paying the said additional toll or duty.

Penalty of driving waggons out of the turnpike roads to avoid the tolls,

to be levied according to 5 Geo. 1. c. 12.

Carriages exempted.

14 Geo. 2. c. 42.

Trustees to erect engines for weighing carriages.

IV. Provided always, and be it further enacted by the authority aforesaid, That from and after the first day of *September* one thousand seven hundred and fifty one, no waggon, cart or other carriage, travelling for hire upon any of the said turnpike roads, shall be drove or turned out of the same into any of the roads adjacent, not being turnpike roads, in order to avoid, and thereby avoiding paying the tolls and duties appointed by this or any former act or acts to be paid at any gate or turnpike erected for the collecting and receiving the same, upon pain of forfeiting and losing any one of the horses drawing such waggon, cart or carriage, (not being the thill or shaft horse) with all his geers and accoutrements, to the sole use and benefit of any person or persons who shall seize or distrain the same; and the person or persons making such seizure or distress shall proceed in like manner, and be intitled to the like remedies, as is directed and given in cases of seizure of horses, by an act of parliament made in the fifth year of the reign of his late majesty King George the First, intituled, *An act for making more effectual the several acts passed for repairing and amending the highways of this kingdom.*

V. Provided always, That nothing in this act shall be deemed or construed to extend to any coach, berlin, chariot, chaise, calash or hearse, or to any waggon, wain, cart, or other carriage, employed only about husbandry, or in carrying only of hay, straw, corn unthrashed, or chalk, or any stone, block of marble, or piece of timber, nor to carravans, or the covered carriages of noblemen and gentlemen for their private use, or such timber, ammunition or artillery, as shall be for his Majesty's service.

VI. *And whereas an act of parliament was made in the fourteenth year of the reign of his present Majesty, intituled, An act for the preservation of the publick roads, in that part of Great Britain called England, which hath proved insufficient for the purpose, by reason that few of the cranes, machines or engines, therein mentioned for the weighing of carriages, have been erected; and to avoid such as have been erected, the owners and drivers of waggons, and other carriages, with excessive weights, have in several places left the turnpike road, and gone through other roads and by-lanes, which have been repaired at a great expence by the inhabitants of the several parishes and places where the same lie, and thereby such roads and by-lanes have been greatly damaged and made ruinous, to the great prejudice and expence of such inhabitants, and the income of the toll hath been also much lessened: for remedy whereof, and rendering the said act more effectual for the purposes thereby intended, be it further enacted by the authority aforesaid, That on or before the twenty fifth day of March one thousand seven hundred and fifty two, all commissioners or trustees already appointed by any act or acts of parliament for the repairs of any highway or highways in that part of Great Britain called England, or any five or more of them, shall, and they are hereby required, at one or more gate or gates, bar or bars, or at some other convenient place*

place or places within their respective districts, to order and cause to be built and erected a crane, machine or engine proper for the weighing of carts, waggons or other carriages for the carrying of any goods or merchandize whatsoever, and order and cause all and every such carts and waggons or other carriages (except such as by this act are excepted) which shall pass through any such gate or bar to be weighed, together with the loading thereof, and shall receive and take such toll and additional duty of twenty shillings the hundred, as is by the said act authorized and directed to be received and taken, and shall apply the same for the purposes in the said act mentioned.

VII. Provided always, and be it enacted, That nothing in this act contained shall extend, or be construed to extend to oblige the trustees of any turnpike road beyond thirty miles distance from *London*, or where the tolls and duties granted to such trustees do not amount to the annual sum of one hundred and fifty pounds within thirty miles distance from *London*, to erect any engine or machine for the weighing waggons or carriages; any thing in this act to the contrary notwithstanding.

Trustees for roads beyond 30 miles from *London*, or where the tolls do not amount to the annual sum of 150 l. not obliged to erect engines.

VIII. And whereas an act passed in the first year of the reign of King George the First has not been found sufficient to prevent the mischiefs that frequently happen by the negligence of carters, draymen, carmen and waggoners riding on their carriages in the city of *London*, or within ten miles thereof; now, in order more effectually to prevent such mischiefs for the future, and for the more speedy and easy conviction and punishing offenders against the said act, be it therefore enacted, That if any carter, drayman, carman, waggoner or other driver shall, after the twenty fourth day of June one thousand seven hundred and fifty one, ride upon such cart, dray, cart or waggon in the city of *London*, or within ten miles thereof, not having some other person or persons on foot to guide or conduct the same, every such person, being thereof convicted according to the tenor of the aforesaid act, shall forfeit and pay the sum of ten shillings, in case such driver shall not be the owner of such carriage; and in case the offender be the owner of such carriage, then any sum not exceeding twenty shillings: which penalties shall be recovered, levied and applied, as by the said former act is directed concerning the ten shillings penalty aforesaid.

1 Geo. 1. c. 57.

Penalty on carter riding upon his cart, not having some person on foot to guide the same.

IX. And be it enacted by the authority aforesaid, That it shall and may be lawful for any person or persons, though not a peace officer, to stop and apprehend such offender, and to carry him, as soon as conveniently may be, before any justice of the peace for the county, city or place where such offence is committed; and in case any person or persons shall resist, abuse or prevent any person endeavouring to apprehend any such offender, or when he is apprehended, shall rescue or endeavour to rescue him, such person so offending shall for every such offence incur the penalty of twenty shillings, to be recovered and applied as aforesaid.

Any person may apprehend such offender, and carry him before a justice. Penalty of resisting, &c.

X. Provided always, and be it further enacted by the authority

Waggons  
drawing up  
steep hills,  
may use as  
many horses  
as the justices  
at sessions  
shall direct.

rity aforesaid, That nothing in this or any former act contained, shall extend, or be construed to extend to restrain or hinder any owner or owners of any waggon or other carriage, or his or their servants, using or drawing with as many horses or beasts as shall be necessary for the drawing such waggons or other carriages up any such steep hills, as the justices of the peace of the respective counties, ridings, divisions and places where such steep hills do lie, shall at their quarter-sessions from time to time order and direct; which said order and direction shall be kept by the respective clerks of the peace among the records of the sessions, to which all persons, at reasonable times, shall have recourse without fee or reward.

Penalties vest-  
ed in the in-  
former.

Method of  
recovery.

XI. *And whereas several acts have been made, as well for repairing and amending divers publick roads in that part of Great Britain called England, as for punishing offences done or committed upon or to the highways, the good intentions whereof have not been answered for want of a due execution of the said laws; for remedy whereof, and as a further encouragement to informers, be it enacted by the authority aforesaid, That all penalties and forfeitures imposed by this or any former act, shall, from and after the tenth day of September in the year one thousand seven hundred and fifty one, be wholly given to and vested in the informer or person who shall sue for the same; any law or statute to the contrary notwithstanding: and every such informer or prosecutor shall and may from thenceforth sue for and recover such forfeitures or penalties by this or any of the said acts imposed, in the same manner as the same are severally and respectively directed to be sued for and recovered, or by action of law, to be brought by such informer or prosecutor in any of his Majesty's courts of record at Westminster, in manner following; that is to say, where any person shall for any such offence be liable to pay any pecuniary penalty, it shall be lawful to sue for the same by action of debt; in which it shall be sufficient to declare, that the defendant is indebted to the plaintiff in the sum of being forfeited by an act, intituled,*

Double costs.

Limitation of  
actions.

*and where the penalty or forfeiture is of any horse or horses, gelding or geldings, mare or mares, or other goods, by an action of trover against the person liable to such penalty or forfeiture, in which the value of such horse or horses, gelding or geldings, mare or mares, or other goods as is or are liable to the forfeiture, shall be given in damages, without any seizure or demand thereof; and the plaintiff, if he recover in any such action, shall have double costs; provided that there shall not be more than one recovery for the same offence: and that no action shall be brought, by virtue of this act, in any of his Majesty's said courts of record, unless the same be brought before the end of six calendar months after the offence committed.*

## CAP. XLIV.

*An act for the rendering justices of the peace more safe in the execution of their office; and for indemnifying constables and others acting in obedience to their warrants.*

WHEREAS justices of the peace are discouraged in the execution of their office by vexatious actions brought against them for or by reason of small and involuntary errors in their proceedings: and whereas it is necessary that they should be (as far as is consistent with justice, and the safety and liberty of the subjects over whom their authority extends) rendered safe in the execution of the said office and trust: and whereas it is also necessary that the subjects should be protected from all wilful and oppressive abuse of the several laws and statutes committed to the care and execution of the said justices of the peace; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of June one thousand seven hundred and fifty one, no writ shall be sued out against, nor any copy of any process, at the suit of a subject, shall be served on any justice of the peace for any thing by him done in the execution of his office, until notice in writing of such intended writ or process shall have been delivered to him, or left at the usual place of his abode, by the attorney or agent for the party who intends to sue or cause the same to be sued out or served, at least one calendar month before the suing out or serving the same; in which notice shall be clearly and explicitly contained the cause of action which such party hath or claimeth to have against such justice of the peace; on the back of which notice shall be inscribed the name of such attorney or agent, together with the place of his abode, who shall be intitled to have the fee of twenty shillings for the preparing and serving such notice, and so more.

No writ to be sued against any justice for what he shall do in the execution of his office, till notice given him.

II. And be it further enacted, That it shall and may be lawful to and for such justice of the peace, at any time, within one calendar month after such notice given as aforesaid, to tender amends to the party complaining, or to his or her agent or attorney; and in case the same is not accepted, to plead such tender in bar to any action to be brought against him, grounded on such writ or process, together with the plea of Not guilty, and any other plea with the leave of the court; and if upon issue joined thereon the jury shall find the amends so tendered to have been sufficient, then they shall give a verdict for the defendant; and in such case, or in case the plaintiff shall become nonsuit, or shall discontinue his or her action, or in case judgment shall be given for such defendant or defendants upon demurrer, such justice shall be intitled to the like costs as he would have been intitled unto, in case he had pleaded the general issue only;

he may tender amends;

and plead the same in bar, &c.

only; and if upon iſſue ſo joined the jury ſhall find that no amends were tendered, or that the ſame were not ſufficient, and alſo againſt the defendant or defendants on ſuch other plea or pleas, then they ſhall give a verdict for the plaintiff, and ſuch damages as they ſhall think proper, which he or ſhe ſhall recover, together with his or her coſts of ſuit.

Plaintiff not to recover without proof of ſuch notice.

III. And be it further enacted, That no ſuch plaintiff ſhall recover any verdict againſt ſuch juſtice in any caſe where the action ſhall be grounded on any act of the defendant, as juſtice of the peace, unleſs it is proved upon the trial of ſuch action, that ſuch notice was given as aforeſaid; but in default thereof ſuch juſtice ſhall recover a verdict and coſts as aforeſaid.

Juſtice may pay into court before iſſue joined, ſuch ſum as he ſhall think fit.

IV. And be it further enacted by the authority aforeſaid, That in caſe ſuch juſtice ſhall neglect to tender any amends, or ſhall have tendered inſufficient amends, before the action brought, it ſhall and may be lawful for him, by leave of the court where ſuch action ſhall depend, at any time before iſſue joined to pay into court ſuch ſum of money as he ſhall ſee fit; whereupon ſuch proceedings, orders and judgments ſhall be had, made and given in and by ſuch court, as in other actions where the defendant is allowed to pay money into court.

Evidence not to be given of any cauſe, but ſuch as is contained in the notice.

V. And be it further enacted, That no evidence ſhall be permitted to be given by the plaintiff on the trial of any ſuch action as aforeſaid, of any cauſe of action, except ſuch as is contained in the notice hereby directed to be given.

Action not to be brought againſt any conſtable acting in obedience to juſtices warrant, till demand made of the copy of the warrant and refusal thereof &c.  
(\* or) So in the Record.

VI. And be it further enacted by the authority aforeſaid, That from and after the ſaid twenty fourth day of June one thouſand ſeven hundred and fifty one, no action ſhall be brought againſt any conſtable, headborough or other officer, or againſt any perſon or perſons acting by his order and in his aid, for any thing done in obedience to any warrant under the hand \*or ſeal of any juſtice of the peace, until demand hath been made or left at the uſual place of his abode, by the party or parties intending to bring ſuch action, or by his, her or their attorney or agent, in writing, ſigned by the party demanding the ſame, of the perusal and copy of ſuch warrant, and the ſame hath been reſuſed or neglected for the ſpace of ſix days after ſuch demand; and in caſe after ſuch demand and compliance therewith, by ſhewing the ſaid warrant to, and permitting a copy to be taken thereof by the party demanding the ſame, any action ſhall be brought againſt ſuch conſtable, headborough or other officer, or againſt ſuch perſon or perſons acting in his aid for any ſuch cauſe as aforeſaid, without making the juſtice or juſtices who ſigned or ſealed the ſaid warrant, defendant or defendants, that on producing and proving ſuch warrant at the trial of ſuch action, the jury ſhall give their verdict for the defendant or defendants, notwithstanding any defect of jurisdiction in ſuch juſtice or juſtices; and if ſuch action be brought jointly againſt ſuch juſtice or juſtices, and alſo againſt ſuch conſtable, headborough or other officer, or perſon or perſons acting in his or their aid as aforeſaid, then on proof of ſuch warrant the jury ſhall find

for ſuch conſtable, headborough or other officer, and for ſuch perſon and perſons ſo acting as aforeſaid, notwithstanding ſuch defect of jurisdiction as aforeſaid; and if the verdict ſhall be given againſt the juſtice or juſtices, that in ſuch caſe the plaintiff or plaintiffs ſhall recover his, her, or their coſts againſt him or them, to be taxed in ſuch manner by the proper officer, as to include ſuch coſts as ſuch plaintiff or plaintiffs are liable to pay to ſuch defendant or defendants for whom ſuch verdict ſhall be found as aforeſaid.

VII. Provided always, That where the plaintiff in any ſuch action againſt any juſtice of the peace ſhall obtain a verdict, in caſe the judge before whom the cauſe ſhall be tried, ſhall in open court certify on the back of the record, that the injury for which ſuch action was brought, was wilfully and maliciously committed, the plaintiff ſhall be intitled to have and receive double coſts of ſuit.

Where the judge ſhall certify the cauſe of action was wilfully committed, plaintiff to recover double coſts.

VIII. Provided alſo, and be it enacted by the authority aforeſaid, That no action ſhall be brought againſt any juſtice of the peace for any thing done in the execution of his office, or againſt any conſtable, headborough or other officer, or perſon acting as aforeſaid, unleſs commenced within fix calendar months after the act committed.

Limitation of actions.

### CAP. XLV.

*An act for the more effectual preventing of robberies and thefts upon any navigable rivers, ports of entry or diſcharge, wharfs, and keys adjacent.*

WHEREAS divers wicked and ill-diſpoſed perſons are encouraged to commit robberies and thefts upon navigable rivers, ports of entry and diſcharge, wharfs and keys adjacent, by the privilege, as the law now is, of being admitted to the benefit of their clergy; therefore, for the more effectual preventing ſuch felonies for the future, be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That all and every perſon or perſons that ſhall, at any time from and after the twenty fourth day of June, one thouſand ſeven hundred and fifty one, feloniously ſteal any goods, wares or merchandize, of the value of forty ſhillings, in any ſhip, barge, lighter, boat or other veſſel, or craft, upon any navigable river, or in any port of entry or diſcharge, or in any creek belonging to any navigable river, port of entry or diſcharge, within the kingdom of Great Britain; or ſhall feloniously ſteal any goods, wares or merchandize, of the value of forty ſhillings, upon any wharf or key adjacent to any navigable river, port of entry or diſcharge, or ſhall be preſent, aiding and aſſiſting in the committing any of the offences aforeſaid, being thereof convicted or attainted, or being indicted thereof ſhall of malice ſtand mute, or will not directly anſwer to the indictment; or ſhall peremptorily challenge above

Perſons convicted of theft of goods on board any veſſel,

the clergy



the number of twenty perſons returned, to be of the jury; ſhall be excluded from the benefit of clergy.

## CAP. XLVI.

*An act for repealing the duties now payable upon foreign linen yarns, and for granting other duties in lieu thereof.*

WHEREAS the ſupport and encouragement of the Britiſh manufactures of ſtriped and chequered linen, and of linen mixed with cotton, is of great importance to the trade and navigation of this kingdom: and whereas the exports of the ſaid manufactures have of late years conſiderably decreased: and whereas the reducing of the duties now payable upon foreign linen yarns, would greatly tend to the encouragement and ſupport of the ſaid manufactures, by putting them upon a more equal footing with the manufactures of other nations, and thereby enable the Britiſh manufactures to regain and enlarge their export trade: may it therefore pleaſe your moſt excellent Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty fifth day of *March* one thouſand ſeven hundred and fifty two, all the rates, duties, ſubſidies, and impositions, which are now payable by virtue of ſeveral acts of parliament upon the importation of raw foreign linen yarns, known by the name of *Dutch yarn* and *French yarn*, and of *Spruce* or *Muscovia yarn*; and alſo upon the importation of whitened or bleached foreign linen yarns, known by the name of *Unwrought inkle* and *Short ſpinnel*; and alſo upon the importation of all other raw and whitened or bleached foreign linen yarn, ſhall ceaſe and determine, and be no longer paid.

II. And be it further enacted by the authority aforeſaid, That in lieu of the ſaid rates, duties, ſubſidies and impositions by this act repealed as aforeſaid, there ſhall, from and after the ſaid twenty fifth day of *March* one thouſand ſeven hundred and fifty two, be granted and paid to his Maſteſty, his heirs and ſucceſſors, the reſpective duties following, upon the importation of foreign linen yarns into this kingdom (that is to ſay)

For every pound weight of *French*, *Dutch*, *Muscovia*, or *Spruce* raw linen yarn, the ſum of one penny.

And for every pound weight of whitened or bleached linen yarn, known by the name of *Unwrought inkle* or *Short ſpinnel*, of the manufacture of any part or place not belonging to the crown of *Great Britain*, the ſum of three pence.

And alſo the ſaid duty of one penny for every pound weight of all other raw linen yarn.

And the ſaid duty of three pence for every pound weight of all other whitened or bleached linen yarn reſpectively, of the manufacture of any part or place not belonging to the crown of *Great Britain*.

III. And

The preſent  
duties upon  
Dutch,  
French, and  
Spruce yarns,

and un-  
wrought inkle  
and ſhort  
ſpinnel, and  
other foreign  
yarn imported,  
repealed.

Duties granted  
in lieu  
thereof.

III. And be it further enacted by the authority aforesaid, <sup>Duties how to be levied, &c.</sup> that the duties hereby granted shall be raised, levied, and collected, by the respective officers of his Majesty's customs in ~~Marking~~ <sup>Marking</sup> ~~down~~, under the management and direction of the respective commissioners of the customs for the time being; and that the said duties shall be collected, raised and levied, in the same manner, and with the same authorities and powers, and under the like regulations, restrictions, penalties and forfeitures, as the rates, duties, subsidies and impositions, hereby repealed as aforesaid, are now raised, collected and levied, as fully and effectually, to all intents and purposes, as if the provisions and clauses, directions, matters and things, relating to the raising, collecting and levying of the said rates, duties, subsidies, and impositions, were herein particularly inserted and re-enacted.

IV. And be it further enacted by the authority aforesaid, <sup>to be paid in-</sup> That all the monies arising by the said duties hereby granted, <sup>to the exche-</sup> shall be paid into the exchequer separate and apart from all the <sup>quer separate</sup> branches of the publick revenues, and shall be subject and liable <sup>from other</sup> to the same uses and purposes respectively, as the duties hereby <sup>branches of</sup> repealed and taken off are now liable and appropriated unto. <sup>the revenue.</sup>

#### CAP. XLVII.

*An act for granting to his Majesty the sum of six hundred thousand pounds out the sinking fund, for the service of the year one thousand seven hundred and fifty one; and for allowances to the poor widows of commission and warrant officers of the royal navy; and for the further appropriating the supplies granted this session of parliament; and for making forth duplicates of exchequer bills, lottery tickets, certificates, orders of loan, or annuity orders, payable at the exchequer in lieu of such as shall be lost, burnt or destroyed; and also for making forth new orders of loan or annuity orders, in lieu of such as shall become defaced, obliterated or otherwise incumbered with assignments or endorsements thereon.*

**M**OST gracious Sovereign, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous to raise the necessary supplies which we have cheerfully granted to your Majesty in this session of parliament, for the service of the year one thousand seven hundred and fifty one, in the easiest manner we are able, for the benefit of your Majesty's subjects, and also to use such ways and means therein as that your Majesty may have the better and more speedy effect of the said supplies, have resolved to give and grant unto your Majesty the sum of six hundred thousand pounds out of the surplusses, excesses and overplus monies, commonly called the *sinking fund*; and to that end and purpose do most humbly beseech your Majesty that it may be enacted, and be it

en-

600,000l.  
granted out  
of the sinking  
fund, towards  
the supply for  
the current  
year.

Clause of loan  
at 3l. per cent.

Tallies and  
orders for  
repayment.

to carry 3l.  
per cent. in-  
terest.  
The orders to  
be registered,

enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That by or out of such monies as now are or shall from time to time be and remain in the receipt of the exchequer, of the said surplusses, excesses or overplus monies, commonly called the *sinking fund*, (after paying or reserving sufficient to pay all such sum and sums of money as have been directed by any former act or acts of parliament, to be paid out of the same) there shall and may be issued and applied, a sum not exceeding the said sum of six hundred thousand pounds, for and towards the supply granted to his Majesty for the service of the said year one thousand seven hundred and fifty one; and the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and empowered to issue and apply the same accordingly.

II. And it is hereby enacted by the authority aforesaid, That in case the said commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think it advisable to raise the said sum of six hundred thousand pounds, or any part thereof, by loans or exchequer bills, in manner herein after mentioned, that it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to advance or lend to his Majesty, at the receipt of his Majesty's exchequer, any sum or sums of money not exceeding the said sum of six hundred thousand pounds, upon the credit of the said surplusses, excesses or overplus monies, commonly called the *sinking fund*, and to have and receive for the forbearance of the money lent, interest after a rate not exceeding three pounds *per centum per annum*, so as such loans be allowed to be made by the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, who are hereby authorized to issue their warrants for that purpose as fast as such loans shall be wanted for the publick service; and moreover, that no money to be lent upon the security of this act, shall be rated or assessed to any tax or assessment whatsoever.

III. And be it further enacted, That all and every person and persons who shall lend any money upon the credit of this act as aforesaid, and pay the same into the receipt of the exchequer, shall immediately have a talley of loan struck for the same, and an order for his, her or their repayment, bearing the same date with his, her or their talley, in or upon which order shall be also contained a warrant for payment of interest for the forbearance thereof, not exceeding the said rate of three pounds *per centum per annum*; and to be paid every three months, until the repayment of the principal; and all such orders for repayment of money so to be lent, shall be registered in course, according to the

ites respectively, and that all and every person and persons be paid in course, according as their orders shall stand registered in the said register books, so as the person or persons, or foreigners, his, her or their executors, administrators, assigns who shall have his, her or their order or orders first entered in the said books of register, shall be taken and accounted to be the first person or persons to be paid out of the said surplusses, excesses or overplus monies; and he, she or they who shall have his, her or their order or orders next entered, shall be taken and accounted to be the second person to be paid, and so successively and in course; and that the monies to come in of or for the said surplusses, excesses or overplus monies, commonly called the *sinking fund* as aforesaid, shall be in the same order liable to the satisfaction of the said respective persons, and body or bodies politick or corporate, their executors, administrators, successors or assigns respectively, without any undue preference of one before another, and not otherwise, and shall not be diverted or divertible to any other use, intent or purpose whatsoever, (other than such uses and purposes as are appointed by any other act or acts of parliament in that behalf as aforesaid) and that no fee, reward or gratuity directly or indirectly shall be demanded or taken of any of his Majesty's subjects for providing or making of any such books or registers, or any entries, views or searches, in or for payment of money lent, or the interest thereof as aforesaid, by any of his Majesty's officer or officers, their clerks or deputies, on pain of payment of treble damages to the party grieved by the party offending, with full costs of suit; or if the officer himself take or demand any such fee or reward, then to lose his place also; and if any undue preference of one before another shall be made, either in point of registry or payment, contrary to the true meaning of this act, by any such officer or officers, then the party offending shall be liable by action of debt, or on the case, to pay the value of the debt, with full costs of suit, to the party grieved, and shall be forejudged of his place or office; and if any such preference be unduly made by any his deputy or clerk, without direction or privity of his master, then such deputy or clerk only shall be liable to such action, debt, damages and costs, and shall be for ever after incapable of his office or place, and in case the auditor of the receipt shall not direct the said orders of loan, or the clerk of the pells record, or the teller make payment upon such orders, according to each person's due place and order as before directed, then he or they shall be adjudged to forfeit, and the respective deputies and clerks therein offending, to be liable to such action, debt, damages and costs in such manner as aforesaid; all which said penalties, forfeitures, damages and costs to be incurred by any the officers of the exchequer, or any their deputies or clerks, shall and may be recovered by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, wherein no essoin, protection, privilege, wager of law, injunction or order of restraint shall be in any wise granted or allowed.

and paid in course,

No fee for registering.

Penalty.

Forfeitures how to be recovered.

No undue preference where tallies are dated the same day.

IV. Provided always, and it is declared, That if it shall happen that several tallies of loan, or orders for payment as aforesaid, bear date or be brought the same day to the auditor of the receipt, to be registered, then it shall be interpreted ~~no undue preference~~ which of those be entered first, so as he enters them all the same day.

Nor if subsequent orders be paid before such as were not demanded in course.

V. Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the tellers do pay subsequent orders to persons that come and demand their monies and bring their orders, before other persons that did not come to take their monies and bring their orders in course, so as there be so much money reserved as will satisfy precedent orders which shall not be otherwise disposed of, but kept for them, interest upon loan being to cease from the time the money is so reserved and kept in bank for them.

Orders assignable *totes quoties*.

VI. And be it further enacted, That all and every person and persons to whom any money shall be due for loans, to be registered by virtue of this act, after order entered in the book of register as aforesaid, his, her or their executors, administrators or assigns, by proper words of assignment to be indorsed and written upon his, her or their order, may assign and transfer his, her or their right, title, interest and benefit of such order, or any part thereof, to any other, which being notified in the office of the auditor of the receipt aforesaid, and an entry or memorial thereof also made in the book of registry aforesaid, for orders (which the officers shall upon request, without fee or charge, accordingly make) shall intitle such assignee, his, her or their executors, administrators, successors and assigns to the benefit thereof, and payment thereon, and such assignee may in like manner assign again, and so *totes quoties*; and afterwards it shall not be in the power of such person or persons who have or hath made such assignment, to make void, releafe or discharge the same, or any the monies thereby due, or any part thereof.

No fee for entry.

The assignment not to be voided.

VII. And, to the end there may be no want or failure of a certain sum, not to exceed in the whole the said sum of six hundred thousand pounds, to be raised either by such loans as aforesaid, or by issuing exchequer bills, as is herein after mentioned, or by both or either of those ways or means, for the publick service; be it further enacted by the authority aforesaid, That in case the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall judge it more adviseable, to raise the said sum of six hundred thousand pounds, or any part thereof, by exchequer bills, instead of such loans as aforesaid, that then they respectively are hereby authorized and impowered, at any time or times, to prepare and make, or cause to be prepared and made at the exchequer, any number of new exchequer bills, for any sum or sums of money not exceeding in the whole the said sum of six hundred thousand pounds, together with such loans as aforesaid, in the

Commissioners of the treasury may make new exchequer bills for raising the said 600,000 l.

the same or like manner, form or order, and according to the same or like rules and directions as in and by a certain act of parliament, (*For continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry for the service of the year one thousand seven hundred and fifty one,*) are enacted and prescribed concerning the exchequer bills to be made in pursuance of the said act.

VIII. And be it further enacted by the authority aforesaid, That all and every the clauses, provisos, powers, privileges, advantages, penalties, forfeitures and disabilities contained in the said last-mentioned act, relating to the loans or exchequer bills, authorized to be made by the same act (except such clauses as do charge the same on the rates and duties granted by the same act) shall be applied and extended to the exchequer bills to be made in pursuance of this act, as fully and effectually to all intents and purposes as if the said exchequer bills had been originally authorized by the said last mentioned act, or as if the said several clauses or provisos had been particularly repeated and re-enacted in the body of this present act.

IX. And be it enacted by the authority aforesaid, That all the exchequer bills as shall be made in pursuance of this act, and the interest, *Premium*, rate and charges incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by and out of the growing produce of the said surplusses, excesses and overplus monies, commonly called the *Sinking Fund*, (except such monies of the said *Sinking Fund*, as are appropriated to any particular use or uses by any former or other act or acts of parliament in that behalf;) and such monies of the said *Sinking Fund* shall and may be issued and applied as fast as the same can be regularly stated and ascertained for and towards the paying off, canceling and discharging such exchequer bills, interest, *Premium*, rate, or charges, until the whole of them shall be paid off, cancelled and discharged, or money sufficient for that purpose be kept and reserved in the exchequer, to be payable on demand to the respective proprietors thereof.

X. And be it further enacted by the authority aforesaid, That from and after the twenty fourth day of *June* one thousand seven hundred and fifty one, there shall be allowed upon the books of every ship of war in sea pay, one other seaman in every hundred men that the complement of such ship of war shall consist of, for such time only as the number of men employed in the service of the royal navy shall not exceed twenty thousand; and that the produce of the wages of each such seaman, and the value of his victuals, shall be given and applied to the relief of the poor widows of commission and warrant officers of the royal navy, according to such rules, orders and regulations as his Majesty hath established or appointed, or shall establish or appoint for that purpose, over and above the one seaman allowed them by an act of the sixth year of his present Majesty's reign; and the principal officers and commissioners of the navy

The exchequer bills to be subject to the regulations in the malt act.

Exchequer bills, &c. to be repaid out of the sinking fund.

Man extraordinary in every 100. to be allowed on the books of ships of war in sea pay.

and his wages and value of his victuals, to be applied in relief of the widows of commission and warrant officers.

6 Geo. 2. c. 25. royal 13.

royal now and for the time being, and all other persons herein concerned, shall and are hereby authorized, and empowered to give allowance on such ships books, of the said one other man in every hundred men, borne thereupon accordingly.

Appropriation of the monies of the malt act, &c.

XI. Provided always, and it is hereby further enacted by the authority aforesaid, That all the monies coming into the exchequer either by loans or exchequer bills, upon one act of this session of parliament (intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder and peary for the service of the year one thousand seven hundred and fifty one*) and so much money, if any such be, of the duties thereby granted as shall arise or remain after all the loans or exchequer bills made or to be made on the same act, and all the interest, *Præmium*, rate and charges thereupon, and the charges thereby allowable for raising the said duties shall be satisfied, or monies sufficient shall be reserved in the exchequer to satisfy and discharge the same; and also all the monies coming into the exchequer either by loans or exchequer bills, upon one other act of this session of parliament (intituled, *An act for granting an aid to his Majesty by a land-tax to be raised in Great Britain, for the service of the year one thousand seven hundred and fifty one*) and so much monies, if any such be of the tax thereby granted, as shall arise or remain after the loans or exchequer bills made or to be made on the same act, and all the interest, *Præmium*, rate and charges thereupon, and the charges thereby allowable for raising the said land tax shall be satisfied, or money sufficient shall be reserved in the exchequer to discharge the same; and also all the monies coming into the exchequer by contributions for annuities and a lottery, after the rate of three pounds *per centum per annum*, granted by one other act of this present session of parliament (intituled, *An act for granting to his Majesty the sum of two millions one hundred thousand pounds, to be raised by annuities and a lottery, and charged on the sinking fund, redeemable by parliament*) and also all the monies coming into the exchequer by exchequer bills to be made forth in pursuance of one other act of this present session of parliament (intituled, *An act for enabling his Majesty to raise the several sums of money therein mentioned by exchequer bills, to be charged on the sinking fund; and for empowering the commissioners of the treasury to pay off the old and new unsubscribed South-Sea annuities out of the supply granted to his Majesty for the service of the year one thousand seven hundred and fifty one; and for enabling the bank of England to hold general courts, and courts of directors, in the manner therein directed; and for giving certain persons liberty to subscribe bank and South-Sea annuities omitted to be subscribed pursuant to two acts of the last session of parliament*) and also the sum of six hundred thousand pounds by this act granted, shall be further appropriated and are hereby appropriated for and towards the several uses and purposes herein after expressed; that is to say,

Land tax,

Lottery act,

and sinking fund,

and the 600,000 l. granted by this act.

3,046,559 l.  
7 s. 10 d. to

XII. It is hereby enacted and declared by the authority aforesaid, That out of all or any of the aids or supplies provided as afore-

aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding one million forty six thousand five hundred and fifty nine pounds seven shillings and ten pence, for or towards the naval services herein after more particularly expressed; that is to say, for or towards defraying the ordinary of his Majesty's navy, and for half-pay to sea officers, and for or towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed and to be performed, and for or towards sea services, in the office of ordnance, performed and to be performed, and for or towards the buildings, re-buildings and repairs of his Majesty's ships for the year one thousand seven hundred and fifty one, and for or towards paying off and discharging such part of the debt of the navy as is due upon the head of seamen's wages.

XIII. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding ten thousand pounds upon account, towards the support of the royal hospital at *Greenwich*, for the better maintenance of the seamen of the said hospital, worn out and become decrepit in the service of their country.

XIV. And it is hereby also enacted, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding one hundred and ten thousand eight hundred and fifty pounds three shillings and one penny, for or towards defraying the charge of the office of ordnance for land service for the year one thousand seven hundred and fifty one, performed and to be performed, and for defraying the extraordinary expence of the office of ordnance for land service, not provided for by parliament.

XV. And it is hereby likewise enacted, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding one million seventy seven thousand three hundred and forty five pounds nineteen shillings and one halfpenny, for and towards maintaining his Majesty's land forces, and other services herein after more particularly expressed; that is to say, any sum or sums of money not exceeding six hundred and twelve thousand three hundred and fifteen pounds seven shillings and eleven pence, for defraying the charge of eighteen thousand eight hundred and fifty seven effective men, including commission and non-commission officers, and one thousand eight hundred and fifteen invalids, for guards, garrisons and other his Majesty's land forces in *Great Britain, Guernsey and Jersey*, for the service of the year one thousand seven hundred and fifty one; and any sum or sums of money not exceeding two hundred and thirty six thousand four hundred and twenty pounds eighteen shillings and six pence halfpenny, for maintaining his Majesty's forces and garrisons in the plantations, *Minorca and Gibraltar*, and for provisions for the garrisons in *Nova Scotia, Newfoundland, and Gibraltar and Providence*, for the year one thousand seven hundred and fifty one.



Newfound-  
land and  
Providence.  
62,567 l. 2 s.  
6 d. to out-  
pensioners of  
Chelsea hospi-  
tal ;  
64,000 l. to  
the reduced  
officers ;

3,310 l. to the  
reduced offi-  
cers widows,  
c

4,747 l. 15 s.  
10 d. to the  
two troops of  
horſe guards,  
and regiment  
of horſe re-  
duced, &c.

26,000 l. for  
general and  
ſtaff officers ;

30,000 l. to  
the elector of  
Bavaria ;

47,984 l. 14 s.  
3 d. towards  
expences of  
the land  
forces in  
1750.

57,582 l. 19 s.  
3 d. 2 q. for  
charges of  
tranſporting,  
&c. to Nova  
Scotia a num-  
ber of re-  
duced officers  
and men ;

hundred and fifty one ; and any ſum or ſums of money not ex-  
ceeding ſixty two thouſand five hundred and ſixty ſeven pound  
two ſhillings and ſix pence, upon account for out-pensioners of  
Chelsea hoſpital, for the year one thouſand ſeven hundred and  
fifty one ; and any ſum or ſums of money not exceeding ſixty  
four thouſand pounds, upon account of the reduced officers of  
his Maſteſty's land forces and marines for the year one thouſand  
ſeven hundred and fifty one, ſubject to ſuch rules to be obſerv-  
ed in the application of the ſaid half-pay, as are hereafter pre-  
ſcribed concerning the ſame ; and any ſum or ſums of money  
not exceeding three thouſand three hundred and ten pounds,  
for paying of penſions to the widows of ſuch reduced officers of  
his Maſteſty's land forces and marines as died upon the eſtabliſh-  
ment of half-pay in *Great Britain*, and who were married to  
them before the twenty fifth day of *December* one thouſand ſeven  
hundred and ſixteen, for the year one thouſand ſeven hundred  
and fifty one ; which ſaid ſum of three thouſand three hundred  
and ten pounds ſhall be iſſued to ſuch perſon or perſons as his  
Maſteſty ſhall, by warrant or warrants under his Maſteſty's royal  
ſign manual, direct and appoint to receive the ſame, to be by  
him or them paid over to ſuch widows of half-pay officers, or  
their aſſigns, according to ſuch eſtabliſhments, liſts or other di-  
rections, and with and ſubject to ſuch conditions, qualifications  
and other allowances for the ſame as his Maſteſty, by ſuch and  
the like warrant or warrants, ſhall be graciouſly pleaſed to di-  
rect and appoint ; and any ſum or ſums of money not exceed-  
ing four thouſand ſeven hundred and forty ſeven pounds fifteen  
ſhillings and ten pence, for defraying the charge for allowances  
to the ſeveral officers and private gentlemen of the two troops  
of horſe guards, and regiment of horſe reduced, and to the ſu-  
perannuated gentlemen of the four troops of horſe guards for the  
year one thouſand ſeven hundred and fifty one ; and any ſum or  
ſums of money not exceeding ſixteen thouſand pounds, for the  
pay of the general and ſtaff officers of his Maſteſty's land forces  
for the year one thouſand ſeven hundred and fifty one ; and any  
ſum or ſums of money not exceeding thirty thouſand pounds,  
to enable his Maſteſty to make good his engagements with the  
elector of *Bavaria*, purſuant to treaty ; and any ſum or ſums of  
money not exceeding forty ſeven thouſand nine hundred and  
eighty four pounds fourteen ſhillings and three pence, for de-  
fraying the extraordinary expences of his Maſteſty's land forces  
and other ſervices incurred in the year one thouſand ſeven hun-  
dred and fifty, and not provided for by parliament.

XVI. And it is hereby alſo enacted by the authority a-  
foreſaid, That out of all or any the aids or ſupplies aforeſaid,  
there ſhall and may be iſſued and applied any ſum or ſums  
of money not exceeding fifty ſeven thouſand five hundred and  
eighty two pounds nineteen ſhillings and three pence halfpenny,  
upon account, for defraying the charges incurred by tranſport-  
ing to his Maſteſty's colony of *Nova Scotia* and ſupporting and  
maintaining there a number of reduced officers and private men  
diſmiſſed his Maſteſty's land and ſea ſervice, and other his Ma-  
ſteſty's

jefty's Subjects, settled in the said colony in the year one thousand seven hundred and forty nine, and by supporting, maintaining and enlarging the settlement of his Majesty's said colony in the year one thousand seven hundred and fifty, and not provided for by parliament; and any sum or sums of money not exceeding fifty three thousand nine hundred and twenty seven pounds fourteen shillings and four pence upon account, for supporting and maintaining his Majesty's colony of *Nova Scotia* for the year one thousand seven hundred and fifty one; and any sum or sums of money not exceeding ten thousand pounds, towards the support of the *British* forts and settlements upon the coast of *Africa*, to be applied in such manner as his Majesty shall think proper; and any sum or sums of money not exceeding three thousand pounds towards laying out, making and keeping in repair, a road proper for the passage of troops and carriages between the city of *Carlisle* and the town of *Newcastle upon Tyne*.

53,927 l. 14 s. 4 d. for supporting the said colony for the year 1751.

10,000 l. towards the settlements on the coast of *Africa*.

3,000 l. towards making a road from *Carlisle* to *Newcastle*.

XVII. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies provided as aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding two millions two hundred and seventy six thousand eight hundred and ninety three pounds seven shillings and seven pence, to pay off and discharge the several subscribed *Old* and *New* annuities, after the rate of four pounds *per centum per annum*, transferrable at the *South-Sea* Office, commonly called *Old* and *New South-Sea* annuities, at the stated times mentioned in one other act of this present session of parliament in that behalf.

2,276,893 l. 11 s. 7 d. to pay off the unsubscribed *South-Sea* annuities.

XVIII. And it is hereby declared by the authority aforesaid, That the sum of one million thirteen thousand one hundred and forty eight pounds four shillings and six pence, to be advanced by the governor and company of the bank of *England* for exchequer bills to be made forth in pursuance of the act herein before-mentioned in that behalf, shall be issued and applied to pay off and discharge the several unsubscribed exchequer orders payable there, out of the duties on wrought plate, and also the several unsubscribed *arrests*, after the rate of four pounds *per centum per annum*, transferrable at the bank of *England*, at the stated times appointed by the act herein before-mentioned in that behalf.

1,013,148 l. 4 s. 6 d. to be advanced by the bank, to pay off the unsubscribed exchequer orders, and four per cent. annuities.

XIX. And it is hereby also enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding six thousand four hundred and sixty one pounds one shilling and one penny, to replace to the sinking fund the like sum paid out of the same, to make good the deficiency of the additional stamp duties at *Christmas* one thousand seven hundred and forty nine; and any sum or sums of money not exceeding twelve thousand five hundred and thirty four pounds two shillings and one halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency

6,461 l. 1 s. 1 d. to make good the deficiency of the stamp duties.

12,534 l. 2 s. 2 q. to make good the duties on sweets,

35,000 l. for  
interest on the  
salt duties.

4,592 l. 16 s.  
9 d. to make  
good the ad-  
ditional du-  
ties on wines.  
7,880 l. 17 s.  
1 d. to make  
good the duty  
on licences  
for retailing  
spirituous  
liquors.

30,422 l. 6 s.  
3 d. to make  
good the du-  
ties on glafs  
and spirituous  
liquors at  
Midsummer  
1750.

70,097 l. 14 s.  
8 d. to make  
good the du-  
ties on houses,  
&c at  
Michaelmas  
1750.

42,559 l. 12 s.  
7 d. 2 q. to  
make good  
the subsidy of  
poundage on  
goods import-  
ed at Michael-  
mas 1750.

65,797 l. 8 s.  
11 d. 3 q. to  
make good  
the deficiency  
of the grants  
for 1750.

The supplies  
to be applied  
only as this  
act directs.

ciency of the duty of twelve shillings a barrel on sweets or wines made from *British* or foreign fruit or sugar at *Michaelmas* one thousand seven hundred and fifty; and any sum or sums of money not exceeding thirty five thousand pounds, to replace the said sinking fund the like sum paid out of the same, to answer one year's interest due at *Michaelmas* one thousand seven hundred and fifty, after the rate of three pounds ten shillings *per centum per annum* on the principal sum of one million left on credit of the salt duties, which were continued for six years from *Lady-day* one thousand seven hundred and fifty three, towards the supply for the year one thousand seven hundred and forty five; and any sum or sums of money not exceeding four thousand five hundred and ninety two pounds sixteen shillings and nine pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the additional duties on wines at *Midsummer* one thousand seven hundred and fifty; and any sum or sums of money not exceeding seven thousand eight hundred and eighty pounds seventeen shillings and one penny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty on licences for retailing spirituous liquors at *Lady-day* one thousand seven hundred and fifty; and any sum or sums of money not exceeding thirty thousand four hundred and twenty two pounds six shillings and three pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duties on glafs and spirituous liquors at *Midsummer* one thousand seven hundred and fifty; and any sum or sums of money not exceeding seventy thousand and ninety seven pounds fourteen shillings and eight pence, to replace to the said sinking fund the like sums paid out of the same, to make good the deficiency of the rates and duties upon houses, windows and lights, at *Michaelmas* one thousand seven hundred and fifty; and any sum or sums of money not exceeding forty two thousand five hundred and fifty nine pounds twelve shillings and seven pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency at *Michaelmas* one thousand seven hundred and fifty of the subsidy of poundage upon all goods and merchandizes imported into this kingdom since the first day of *March* one thousand seven hundred and forty seven; and any sum or sums of money not exceeding sixty five thousand seven hundred and ninety seven pounds eight shillings and eleven pence three farthings, to make good the deficiency of the grants for the service of the year one thousand seven hundred and fifty.

XX. And be it further enacted by the authority aforesaid That the said aids and supplies provided as aforesaid, shall not be issued or applied to any use, intent or purpose whatsoever other than the uses and purposes before mentioned, or for the several deficiencies or other payments directed to be satisfied thereout by any act or acts, or any particular clause or clause

for that purpose contained in any other act or acts of this present session of parliament.

XXI. And as to the said sum of sixty four thousand pounds by this act appropriated on account of half-pay as aforesaid, it is hereby enacted and declared by the authority aforesaid, That the rules herein after prescribed shall be duly observed in the application of the said half-pay; that is to say, That no person shall have or receive any part of the same who was a minor, at the under the age of sixteen years, at the time when the regiment, troop, or company in which he served was reduced; that no person shall have or receive any part of the same, except such persons who did actual service in some regiment, troop or company; that no person having any other place or employment of profit civil or military under his Majesty, shall have or receive any part of the said half-pay; that no chaplain of any garrison or regiment who has any ecclesiastical benefice in *Great Britain* or *Ireland*, shall have or receive any part of the said half-pay; that no person shall have or receive any part of the same, who has resigned his commission and has had no commission since; that no part of the same shall be allowed to any person by virtue of any warrant or appointment, except to such persons who would have been otherwise intitled to the same as reduced officers; and that no part of the same shall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot, lately disbanded in *Ireland*, except to such as were lately taken off the establishment of half-pay in *Great Britain*.

Rules to be observed in the application of the half-pay.

XXII. And whereas by an act of parliament made in the twenty third year of his Majesty's reign, (intituled An act for granting to his Majesty the sum of nine hundred thousand pounds out of the sinking fund for the service of the year one thousand seven hundred and fifty, and for applying certain surplus monies remaining in the exchequer, as part of the supply of the said year, and for the application of certain savings in the hands of the pay-master general; and for removing a doubt in an act of the fifth year of King George the first, in respect to the payment of certain annuities thereby granted for the improvement of fisheries and manufactures in *Scotland*, and for the further appropriating the supplies granted this session of parliament, and for giving further time for the payment of duties omitted to be paid for the indentures or contracts of clerks and apprentices, and for transferring the bounties now payable upon the exportation of *British* sail cloth to the customs, and for enforcing the laws against the clandestine importation of soap, candles and starch into this kingdom) several supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to several uses and purposes therein expressed, amongst which any sum or sums of money not exceeding sixty seven thousand pounds, was appropriated to be paid to the reduced officers of his Majesty's land forces and marines, subject nevertheless to such rules to be observed in the application of the said half-pay, as in and by the aforesaid act were prescribed in that behalf;

23 Geo. 2. c. 21.

Overplus of  
67,000 l. ap-  
propriated to  
the reduced  
officers, to be  
applied to such  
objects of cha-  
rity as his  
Majesty shall  
direct.

behalf; now it is hereby provided, enacted and declared by the authority aforesaid, That so much of the said sum of sixty seven thousand pounds, as is or shall be more than sufficient to satisfy the said reduced officers, according to the rules prescribed by the said act to be observed in the application thereof, or any part of such overplus, shall and may be disposed of, to such officers who are maimed, or lost their limbs in the late wars, or such others as by reason of their long service, or otherwise, his Majesty shall judge to be proper objects of charity, or to the widows or children of such officers, according to such warrant or warrants, under his Majesty's royal sign manual, as shall be signed in that behalf; any thing in this act, or the said former act, to the contrary notwithstanding.

Duplicates to  
be made forth  
of such ex-  
chequer bills,  
lottery tickets,  
certificates,  
orders of loan,  
or annuity or-  
ders, as shall  
be lost, or  
otherwise de-  
stroyed,

XXIII. And whereas several bills, commonly called exchequer bills, several tickets in the publick lotteries, and certificates made forth in lieu thereof, and likewise several orders of loan, and orders for annuities of several denominations payable at the receipt of his Majesty's exchequer, made forth by authority of parliament, have been or may hereafter by casualty or mischance be lost, burnt, or otherwise destroyed; be it therefore enacted by the authority aforesaid, That in all cases where it shall appear by affidavit to be made before any of the barons of the exchequer for the time being, (who shall interrogate the deponent thereupon) to the satisfaction of such baron or barons, That any such exchequer bills, lottery tickets, certificates, orders of loan or annuity orders as aforesaid, have been or shall hereafter be lost, burnt or destroyed, or that there be good reason to believe that the same have been lost, burnt or destroyed, it shall and may be lawful for the respective officers and persons appointed, to issue and make forth such exchequer bills, tickets, certificates, orders of loan, or annuity orders, or to pay or discharge the same, or to issue any monies thereon, upon producing a certificate from any of the said barons of such affidavit made before him or them, (which affidavit the said barons, or any of them, is and are hereby required to take, and which certificate he or they are hereby required to grant without fee or reward) and on sufficient security given to the King, his heirs and successors, to indemnify the said respective officers and persons against all other persons whatsoever, for and concerning the monies specified in or due upon such respective bill or bills, ticket or tickets, certificate or certificates, order or orders, they the said officers and persons respectively shall and are hereby required to make forth duplicates of the said bills, tickets, certificates and orders, at the request of the respective owners or proprietors thereof, and to pay and discharge the same, and all such interest as shall be due on any of them carrying interest, as he or they should have paid or discharged on the said original bills, tickets, certificates, orders of loan, or annuity orders, if the same had been produced; and shall be allowed all such payments in their respective accounts.

Commission-  
ers of the  
treasury to

XXIV. And in all cases where the signing of the commissioners of his Majesty's treasury, or the high treasurer of Great Bri-

tain for the time being, is necessary for making the said duplicates, or any of them effectual, for the purposes aforesaid; it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of his Majesty's treasury, or any three or more of them, or the said high treasurer for the time being, to sign such duplicates accordingly.

sign such duplicates.

XXV. *And whereas it may so happen that several of the said orders of loan, and other orders for annuities of several denominations, payable at the said receipt of exchequer, may become defaced, obliterated or incumbered with many assignments indorsed thereupon, and it may be necessary that new orders should be made forth in lieu thereof;* be it therefore further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, and they are hereby also impowered to cause new orders to be made out in lieu of such respective orders as shall become defaced, obliterated, or otherwise incumbered as aforesaid, which said respective orders shall at the same time be delivered up and cancelled, and the new order or orders made out in lieu thereof, shall be made payable and delivered to the person or persons who shall appear to be the proprietor or proprietors of the said order or orders, so to be delivered up and cancelled, at the time of such delivery up as aforesaid; and the auditor of the said receipt of exchequer shall always take care that such entries or memorandums be made upon the said new orders, as may denote their being made in lieu of such defaced, obliterated, incumbered, or otherwise defective orders cancelled, and as may secure the publick against any double payments, for or by reason of the making out or issuing such new orders in manner aforesaid.

New orders of loan, and for annuities, &c. to be made out in lieu of such as shall be filled up with indorsements, or defaced.

Entry to be made on the new orders.

#### CAP. XLVIII.

##### *An act for the abbreviation of Michaelmas term.*

WHEREAS in the beginning of the term of Saint Michael, commonly called Michaelmas term, very little business can be done, on account of the several holidays that are observed by the high courts of record, of our sovereign lord the King, between the first day of the said term and the sixth day of November following: therefore for the ease and benefit of his Majesty's subjects, may it please your most excellent Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the feast day of Saint Michael the archangel in the year of our Lord one thousand seven hundred and fifty two, there shall be in Michaelmas term four common days of return only (that is to say) the first day of return thereof shall be and be called the morrow of *All Souls*; the second day of return of the same term shall be and be called

After 29 September 1752, four common days of return only to be in Michaelmas term;

the morrow of Saint *Martin*; the third day of return of the same term shall be and be called In eight days of Saint *Martin*; and the fourth day of return of the same term shall be and be called In fifteen days of Saint *Martin*.

the same days  
to be observed  
in all the  
courts.

No returns to  
be from Mi-  
chaelmas day  
in 3 weeks,  
nor from that  
day in 1  
month.  
The term to  
begin on the  
morrow of All  
Souls,

II. And be it further enacted by the authority aforesaid, That the same days of returns shall be observed and kept in all the high courts of record of our sovereign lord the King, his heirs and successors, hereafter to be holden at *Westminster*, or other place or places, at the assignment or appointment of our sovereign lord the King, his heirs and successors; and that from and after the feast day of Saint *Michael* the Archangel in the year of our Lord one thousand seven hundred and fifty two, there shall not be nor be called any days of return from the day of Saint *Michael* in three weeks, nor from the day of Saint *Michael* in one month, nor either of them; and that the said term of Saint *Michael* yearly for ever, from and after the said feast of Saint *Michael* the Archangel one thousand seven hundred and fifty two, shall begin in and upon the said morrow of *All Souls* whensoever it shall happen to fall, (except it be on the Lord's day, commonly called *Sunday*) and then on the morrow next after for the keeping of effoigns, profers, returns, and other ceremonies heretofore used and kept, in like manner and form as hath been used to be done in the day of the return, commonly called From the day of Saint *Michael* in three weeks; and that the full term of Saint *Michael* shall yearly for ever, from and after the said feast of Saint *Michael* one thousand seven hundred and fifty two, in all the aforesaid courts of record, begin and take its commencement upon the fourth day of the said morrow of *All Souls*, (except it be on the Lord's day, commonly called *Sunday*) and then on the morrow next after.

and the full  
term on the  
fourth day af-  
ter, except  
those days  
shall happen  
on a Sunday.

Days of re-  
turns of writs.

III. And for the more speedy proceeding in writs of *Dower unde nihil habet*, and writs of entry for common recoveries to be sued and prosecuted by writs of entry or writs of right of advowson, and in all other real actions; be it enacted by the authority aforesaid, That after the feast of Saint *Michael* the Archangel one thousand seven hundred and fifty two coming, if any writ in any such action come in, and be returnable in his Majesty's court of *Common Pleas*, in the day of the return of the morrow of *All Souls*, then day shall be given in fifteen days of Saint *Martin*; if on the morrow of Saint *Martin*, then in eight days of Saint *Hilary*; if in eight days of Saint *Martin*, then in fifteen days of Saint *Hilary*; if in fifteen days of Saint *Martin*, then on the morrow of *The Purification*; if in eight days of Saint *Hilary*, then in eight days of *The Purification*; if in fifteen days of Saint *Hilary*, then in fifteen days of *Easter*; if on the morrow of *The Purification*, then in three weeks from the day of *Easter*; if in eight days of *The Purification*, then in one month from the day of *Easter*; if in fifteen days of *Easter*, then in five weeks from the day of *Easter*; if in three weeks from the day of *Easter*, then on the morrow of *The Ascension of our Lord*; if in one month from the day of *Easter*, then on the morrow of the

*Holy Trinity*; if in five weeks from the day of *Easter*, then in eight days of the *Holy Trinity*; if on the morrow of *The Ascension of our Lord*, then in fifteen days of *The Holy Trinity*; if on the morrow of *The Holy Trinity*, then in three weeks from the day of *The Holy Trinity*; if in eight days of *The Holy Trinity*, then on the morrow of *All Souls*; if in fifteen days of *The Holy Trinity*, then on the morrow of *Saint Martin*; if in three weeks of *The Holy Trinity*, then in eight days of *Saint Martin*. -

IV. Provided nevertheless, and be it further enacted by the authority aforesaid, That in all writs of *Dower unde nihil habet*, after issue joined, it shall not be needful or requisite to have above fifteen days betwixt the teste and return of the *Venire facias*, or any other process to be sued out for the trial of the said issue, but that the writ of *Venire facias*, and other process, after issue joined, until judgment be given, having only fifteen days between the teste and return thereof, shall be good and effectual in law, as is used in personal actions; any law, statute or usage, to the contrary heretofore notwithstanding.

In writs of *Dower, &c.* after issue joined, 15 days sufficient between the teste and return of the *Venire*.

V. And it is hereby further enacted by the authority aforesaid, That from and after the said feast of *Saint Michael* the Archangel one thousand seven hundred and fifty two, all writs and process hereafter to be made out of any of his Majesty's courts at *Westminster*, and having day from the fourth day of the morrow of *The Ascension*, to the morrow of *The Holy Trinity*, shall be good and effectual in law, notwithstanding there be not fifteen days between the teste and the return of the said writs.

Writs, &c. having day from the fourth of the morrow of the *Ascension* to the morrow of the *Holy Trinity* to be good.

VI. And be it further enacted by the authority aforesaid, That all writs or process made, or to be made returnable upon the following returns, *videlicet*; in three weeks of *Saint Michael*, or from the day of *Saint Michael* in one month next following, or having days between either of the said returns, shall, by force and virtue of this act, have day unto the said morrow of *All Souls*, and the parties to the said writs and process shall then appear and plead and proceed thereupon to all intents and purposes, as if the said writs and process had been made returnable on the said morrow of *All Souls*.

Writs, &c. returnable in three weeks of *Saint Michael*, or in one month from that day,

to have day unto the morrow of *All Souls*.

VII. And be it further enacted, That all common writs, as well personal as real, which shall happen to be returnable in the said *Michaelmas* term, shall have and keep the said returns of the morrow of *All Souls*, the morrow of *Saint Martin*, in eight days of *Saint Martin*, and in fifteen days of *Saint Martin*, or any of the three.

Days of return of common writs in the term.

VIII. And whereas before the making of this act, all writs of summons to warrant against the vouchers upon common recoveries had, writs of entry and writs of right of advowson, were made for five returns inclusive; now for the more speedy perfecting of such recovery, be it enacted by the authority aforesaid, That from and after the said feast of *Saint Michael* the Archangel one thousand seven hundred and fifty two, all and every such writs of summons to warrant upon the appearance of the tenant to every five.

Writs of summons to warrant abridged to four returns inclu-

such



such writ of entry and writ of right of advowson, shall and may be made and abridged to four returns inclusive.

Courts to appoint special days of returns where usual.

IX. Provided always, and it is hereby further enacted by the authority aforesaid, That in such and like cases and process as special days have been used to be appointed and assigned and given for the return of writs and process, it shall be lawful to the justices of every the King's said courts of record for the time being, in all the process by them awarded, to assign and appoint special days of returns, as by them shall be thought convenient.

Days of assize in Darrein Presentment and Quare impedit, and the days to be given in attaint to stand. 5 Ed. 3. c. 6. 23 H. 8. c. 3.

X. Provided also, and be it enacted by the authority aforesaid, That the days of assize in *Darrein Presentment* and in a plea of *Quare impedit* limited and appointed by the statute of *Marlbridge*, and also the days to be given in attaint limited in the statute made in the fifth year of the reign of King *Edward the Third*, and also in the statute made in the three and twentieth year of the reign of the late King *Henry the Eighth*, being not contrary to the tenor of this act, shall be holden firm, and stand in their full force and effect.

The presenting and swearing the mayors of London to be on 9 November.

XI. And whereas by divers charters heretofore granted to the citizens of London, by his Majesty's royal predecessors Kings and Queens of England, it is directed that the mayor of the said city, after he is chosen, shall be presented and sworn before the King or Queen of England in their court of exchequer at Westminster, or before the barons of the said court: and whereas the said solemnity after every annual election of the said mayor, hath been usually kept and observed by the said city on the twenty ninth day of October, except the same fall on a Sunday, and then on the day following; be it enacted by the authority aforesaid, That from and after the said feast of Saint Michael, which shall be in the year of our Lord one thousand seven hundred and fifty two, the said solemnity of presenting and swearing the mayors of the city of London, after every annual election into the said office, in the manner and form heretofore used on the twenty ninth day of October, shall be kept and observed on the ninth day of November in every year, unless the same shall fall on a Sunday, and in that case on the day following; any rule or order in any of the charters of the said city, or the usage or customs thereof to the contrary notwithstanding.

14 Ed. 3. c. 7.

The day of assembling at the exchequer for ordaining sheriffs to be on the morrow of Saint Martin.

XII. And whereas by the abbreviation of Michaelmas term pursuant to this act, the morrow of All Souls will not be in full term, and thereby will prove inconvenient for the purpose of ordaining sheriffs pursuant to an act of parliament made in the fourteenth year of the reign of King *Edward the Third*, intituled, *How long a sheriff shall continue in his office*; be it therefore enacted by the authority aforesaid, That from and after the commencement of this act the same officers and persons, who by virtue of the said last mentioned act, or any other law or statute, ought to assemble at the exchequer yearly on the morrow of *All Souls*, for the ordaining or nominating of sheriffs, shall not assemble on that day, but instead thereof shall assemble yearly on the morrow of Saint

Saint Martin at the exchequer, in the like manner, and for the same intent and purpose.

## CAP. XLIX.

*An act for allowing further time to the commissioners appointed by and in pursuance of an act of the twenty third year of his present Majesty's reign, intituled, An act for extending and improving the trade to Africa, to inquire into the claims of certain creditors of the royal African company therein mentioned, and for the relief of David Crichton; and for restraining the said company from disposing of such of their effects as are therein mentioned, and for staying all suits for money due from or on the account of the said company, for the time therein mentioned.*

**W**HEREAS by an act of parliament made and passed in the twenty third year of the reign of his present Majesty (intituled, An act for extending and improving the trade to Africa) it was enacted, That the accountant general of the high court of chancery for the time being, and such two of the other masters of the said court, as the lord high chancellor of Great Britain for the time being, or Lord keeper of the great seal of Great Britain for the time being, or the lords commissioners for the great seal of Great Britain for the time being, should from time to time nominate for that purpose, should be, and they were thereby constituted and appointed commissioners for examining into the claims of the creditors of the said royal African company; and to inquire and state how and when the same were respectively incurred, in such manner as in and by the said act is directed, together with their opinion of the justness and reasonableness of such debts respectively; and to lay the account of their proceedings before the parliament with all convenient speed: and whereas the said commissioners have laid an account of their proceedings before the parliament; but several claims of the company's officers and servants abroad, for salaries due to them, or for goods sold and delivered for the said company's use, and which are hereafter more particularly mentioned, for want of proper vouchers from abroad, could not be examined in within the time prescribed for that purpose by the said act; be it therefore enacted, &c.

The powers granted to the commissioners by the recited act to be in force, for stating the claims of the creditors herein named. Creditors to deliver in an account of their further demands, &c. by 1 December 1751. Commissioners to finish the examination of claims by 12 January, and to lay their proceedings before the parliament. African company not to dispose of any military stores, &c. for one year. Suits depending against the company stayed for one year. Stay of execution of judgment given by David Crichton to William Stead enlarged for one year.

## CAP. L.

*An act to enable his Majesty to make leases and copies of offices, lands and hereditaments, parcel of his dutchy of Cornwall, or annexed to the same.*

His Majesty enabled to make leases, and copies, of offices, lands, &c. parcel of his dutchy of Cornwall.

**W**HEREAS his most excellent Majesty now stands seized of the dutchy of Cornwall and the possessions thereof; and whereas some doubts may arise in relation to his Majesty's granting leases and making copies of offices, lands and hereditaments, parcel of his said dutchy, or thereunto annexed or belonging; for obviating whereof, and for the ease and quiet of the minds of such persons as have taken, or shall hereafter take leases from his said most excellent Majesty; and to the end that such persons may be sure to have good and indefeasible estates, and be encouraged to lay out monies in building and repairing, or otherwise improving the several lands and tenements to them demised or to be demised; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all leases and grants made or to be made by copy of court roll, according to the custom of the respective manor or manors of the said dutchy, or thereunto annexed or belonging; and all leases and grants to be made within seven years next ensuing, by letters patents or indentures under the great seal of *Great Britain*, or seal of the court of exchequer, or by copy of court roll according to the custom of the respective manors, of any offices, messuages, parks, lands, tenements, or hereditaments (other than honours, lordships, or manors) parcel of the possessions of the said dutchy of *Cornwall*, or annexed to the same, shall be good and effectual in law, according to the purport and contents of the same copies, leases and grants, against our sovereign lord the King, his heirs and successors, and against all and every other person or persons that shall at any time hereafter have, inherit, or enjoy the said dutchy by force of any act of parliament, or by other limitation whatsoever.

Leases to be made for a term of years or lives,

and not to be punishable of waste, and the usual or a reasonable rent to be reserved.

II. Provided always, That every such lease or grant so made or to be made, be not for more than one, two or three lives, or for one and thirty years, or under, or for some term of years determinable upon one, two or three lives, and not above; and if such leases or grants be made in reversion or expectancy, that then the same, together with the estates in possession, do not exceed three lives, or the term of one and thirty years, and be not in any wise made punishable of waste; and so as that every such lease or grant be, or shall be, reserved the ancient or most usual rent, or more, or such rent as hath been reserved, yielded or paid for the same manors, lands or hereditaments, for the greater part of twenty years next before the making of the said leases; and where no such rent hath been reserved or payable, that then upon every such lease there be, or shall be reserved a reasonable rent, not being under the twentieth part of

of the clear yearly value of the manors, meſſuages, parks, lands, tiſhes, tenements or hereditaments contained in ſuch leaſe or grant; and all leſſes and grants otherwiſe made or to be made, ſhall be null and void.

III. And be it further ordained and enacted by the authority aforeſaid, That all covenants, conditions, reſervations and other agreements contained in any leaſe, grant or copy of court roll made, or to be made, aforeſaid, ſhall be good and effectual in law, according to the words and contents of the ſame, as well for and againſt them to whom the reverſions of the ſame lands, tenements and hereditaments ſhall come, as for and againſt them to whom the intereſt of the ſaid leaſes, grants or copies ſhall come reſpectively, as if our ſovereign lord the King's majeſty, at the time of making ſuch covenants, conditions and reſervations, and other agreements, were ſeized of an abſolute eſtate in fee ſimple in the ſame lands, tenements or hereditaments.

IV. Saving always, To all and every perſon and perſons, bodies politick and corporate, their heirs and ſucceſſors, executors, adminiſtrators and aſſigns (other than to our ſaid ſovereign lord the King, and his heirs and ſucceſſors, and the duke and dukes of Cornwall for the time being, and his and their heirs, and all and every other perſon and perſons that ſhall hereafter have, inherit or enjoy the ſaid dukedom of Cornwall, by force of any act of parliament or other limitation whatſoever) all ſuch rights, titles, eſtates, cuſtoms, intereſts, tenures, claims and demands whatſoever, of what nature, kind or quality whatſoever, of, in, to, or out of the ſaid offices, lands, tenements or hereditaments, or any of them, as they or any of them had, or ought to have had, before the making of this act, to all intents and purpoſes, and in as large and ample manner and form, as if this act had never been had or made; this act or any thing herein contained to the contrary notwithstanding.

Reſervation in  
the leaſes, &c.  
deemed good,

Rights of  
other perſons  
ſaved.

### C. A. P. LI.

*An act for encouraging the taking of pott aſhes and pearl aſhes in the Britiſh plantations in America.*

WHEREAS the making of pott aſhes and pearl aſhes in the Britiſh plantations in America would be advantageous to the trade of this nation, as great quantities thereof are uſed in the making of ſoap and other manufactures of this kingdom, which at preſent being chiefly ſupplied from foreign parts, the ſupply of that neceſſary commodity is uncertain, and the price often exorbitant: may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the twenty ninth day of September, one thouſand ſeven hundred and fifty one, the ſeveral and reſpective ſubſidies, cuſtoms, impoſitions, rates and duties now payable on pott aſhes or pearl aſhes made in and imported

No duties to  
be paid on  
pott or pearl  
from

ashes imported from the British plantations.

Conditions to be observed in the importation of pott and pearl ashes.

Person loading pott or pearl ashes in America, to make oath before the collector, that the same are of the manufacture of the British colonies, &c.

and the master to bring a certificate from the officers, expressing the marks and number of packages, &c.

from his Majesty's colonies in *America* into any part of *Great Britain*, shall cease, determine and be no longer paid.

II. Provided always, and be it further enacted by the authority aforesaid, That a due entry shall be made of all pott ashes and pearl ashes which shall be made in, and imported from the said colonies into *Great Britain*, at the custom-house, at the time of the importation thereof, in the same manner and form (expressing the package, marks and numbers, together with the quantities of the respective goods) as was used and practised before the making of this act; and the same shall be landed in the presence of, and examined by the proper officer or officers of the customs appointed for that purpose; and shall be imported in ships or vessels that may lawfully trade to his Majesty's plantations, manned as by law is required; and on failure of the said conditions or directions herein before-mentioned, such pott ashes and pearl ashes shall be liable to the payment of the respective duties, as if this act had never been made.

III. Provided always, and be it further enacted by the authority aforesaid, That in order to intitle the importer and importers of pott ashes, or pearl ashes to the benefit of this act, every merchant or other person or persons whatsoever who shall, after the twenty ninth day of *September* one thousand seven hundred and fifty one, load any pott ashes or pearl ashes on board any ship or vessel in any of the *British* colonies or plantations in *America*, shall, before the clearing out of the said ship or vessel from thence, make proof on oath before the collector and comptroller of the customs, and naval officer, at the port or place where such pott ashes or pearl ashes shall be put on board, or any two of them, that the pott ashes or pearl ashes which he, she, or they hath or have shipped on board the said ship or vessel, is *bona fide* of the product and manufacture of some or one of the *British* colonies or plantations in *America*, expressing the exact quantity of such pott ashes or pearl ashes, and the parish or place in such plantation where the same was made, and by whom (which oath the said collector and comptroller of the customs, and naval officer, or any two of them, are hereby required and empowered to administer without fee or reward) and the master, commander, or other person taking charge of the ship or vessel on board which such pott ashes or pearl ashes shall be loaded, shall also bring with him a certificate or certificates from such collector and comptroller of the customs, and naval officer, or any two of them as aforesaid, under their hands and seals of office (which certificate or certificates such collector and comptroller of the customs and naval officer, are hereby required and directed to grant, without fee or reward) expressing the marks and number of casks or packages, also the weight and tale of the pott ashes and pearl ashes contained therein, and so shipped or loaded on board such ship or vessel, with the name or names place or places of abode of the exporter or exporters thereof, from the said *British* colonies or plantations in *America*, and the name or names, place or places of abode of such other person

persons who shall have sworn the goods therein mentioned to have been the product and manufacture of the said *British* colonies or plantations in *America*; which certificate or certificates the said master, commander or other person taking charge of such ship or vessel shall, on his arrival in this kingdom, deliver to the collector, comptroller or other chief officer of his Majesty's customs at the port where he shall arrive at, or before the entry of the said pott ashes or pearl ashes; and at the same time shall make oath before the said collector, comptroller or chief officer of his Majesty's customs (who are hereby required and impowered to administer the same, without fee or reward) that the said casks, and parcels and goods, contained in such certificate are the same casks, and parcels and goods, as were taken on board such ship or vessel in the said *British* colonies or plantations in *America*; and if any pott ashes or pearl ashes of the product and manufacture of the *British* colonies or plantations in *America*, shall, after the said twenty ninth day of *September* one thousand seven hundred and fifty-one, be imported as herein before-mentioned, without such certificate signed and delivered as herein before required, and oath made as before directed, by the master, commander or other person taking charge of the ship or vessel in which the same is imported, all such pott ashes and pearl ashes shall be liable to the payment of the respective duties, as if this act had never been made; any thing herein before contained to the contrary notwithstanding.

which he is to deliver at his arrival to the collector, and make oath to the identity of the goods,

on failure thereof the duties to be paid.

IV. And be it further enacted by the authority aforesaid, That if any person or persons shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, make, or cause to be made, an entry or entries of any foreign pott ashes or pearl ashes, under the name or description of pott ashes or pearl ashes of the product or manufacture of any of the *British* colonies or plantations in *America*, or shall mix, or cause to be mixed, any foreign pott ashes or pearl ashes with pott ashes or pearl ashes of the product or manufacture of the *British* colonies or plantations in *America*, with intent to evade the duties payable on foreign pott ashes, and pearl ashes, every person or persons so making, or causing to be made, such entry or entries, or mixture, or causing such mixture or mixtures to be made, shall forfeit and pay the sum of fifty pounds for every such offence, and all such foreign pott ashes and pearl ashes; and in case of any mixture, the quantity so mixed, both of foreign and *British* plantation product and manufacture, or the value thereof, together with the casks or other packages containing the same, shall be forfeited, and shall and may be seized and prosecuted, or the value thereof be sued for by any officer or officers of his Majesty's customs.

Penalty of making an entry of foreign made goods under the denomination of the *British* plantations, or of mixing the same.

V. And be it enacted by the authority aforesaid, That if any collector or comptroller of the customs, and naval officer, shall falsely make any such certificate as herein before required or directed to be made, all and every such person so offending shall, for every such offence, forfeit and pay the sum of two hundred pounds,

Penalty on false certificate;

and on false  
oath;

or counter-  
feiting certi-  
ficate.

Forfeitures,  
how to be  
prosecuted.

and applied.

Onus proban-  
di to lie on  
the owner.

Limitation of  
actions.

General issue.

pounds, and also forfeit and lose his office, and be incapable of serving his Majesty, his heirs and successors, in any office or trust of profit; or if any merchant, factor, trader, master or commander of any ship or vessel, or any other person, or persons, shall falsely make any oath required by this act, every such offender shall incur the punishment inflicted by the laws of this realm for wilful and corrupt perjury; and if any person shall knowingly counterfeit any such certificate as herein before is directed to be made, or publish the same, knowing it to be counterfeit, every such person so offending shall incur the punishment inflicted by the laws of this realm for forgery.

VI. And it is hereby further enacted by the authority aforesaid, That the several penalties and forfeitures by this act inflicted, shall and may be prosecuted, determined and recovered, by bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of *exchequer* in *Scotland*, or in any of the courts of admiralty in his Majesty's plantations in *America* respectively; wherein no essoin, protection, wager of law, or more than one imparlance, shall be allowed.

VII. And be it further enacted by the authority aforesaid, That all penalties and forfeitures by this act imposed, shall, if in *Great Britain*, be applied, one moiety to the use of his Majesty, his heirs and successors, and the other moiety to such person or persons as shall seize, prosecute or sue for the same: and all such penalties and forfeitures as shall be incurred in his Majesty's plantations in *America*, shall be applied, one third part thereof to the use of his Majesty, his heirs and successors, one third part to the use of the governor of the plantation where the forfeiture shall be incurred, and the remaining third part to such person or persons who shall seize, prosecute, or sue for the same.

VIII. Provided always, That if any doubt or dispute shall arise, whether the said potashes, or pearl ashes, or any part thereof, so to be imported as aforesaid, is of the product and manufacture of the *British* colonies or plantations in *America*, or of foreign product or manufacture, the *Onus Probandi* shall lie on the owner or claimer thereof, and not on the informer or prosecutor; any law, custom or usage to the contrary notwithstanding.

IX. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, every such action or suit shall be commenced within six months next after the fact committed; and the defendant or defendants, in any such action or suit, may plead the general issue, and give in evidence, this act, and the special matter in evidence, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared;

heard; or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as defendants have in other cases by law. Treble costs.

## C A P. LII.

*An act for continuing several laws therein mentioned, relating to the Premiums upon the importation of masts, yards, and bowsprits, tar, pitch and turpentine; to British made sail cloth, and the duties payable on foreign sail cloth; and to the allowance upon the exportation of British made gunpowder.*

**W**HEREAS the laws herein after mentioned, are found to be very useful and beneficial to the publick, and are so near expiring, that it is fit they should now be continued; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That so much of an act made in the second year of the reign of his present Majesty, intituled, *An act for the better preservation of his Majesty's woods in America, and for the encouragement of the importation of naval stores from thence; and to encourage the importation of masts, yards and bowsprits, from that part of Great Britain called Scotland, as relates to the Premiums upon masts, yards and bowsprits, tar, pitch and turpentine*, which was made to be in force from the twenty ninth day of September one thousand seven hundred and twenty nine, for the space of thirteen years, and to the end of the then next session of parliament; and which by another act made in the thirteenth year of the reign of his present Majesty, was further continued until the twenty fifth day of December one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the time therein limited for the expiration thereof, unto the twenty fifth day of December one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament.

2 Geo. 2. c. 35. for encouraging the importation of naval stores from America, &c.

continued by 13 Geo. 2. c. 28. further continued unto 25 December 1751. See 25 Geo. 2. c. 35.

II. Provided, That no bounty shall be paid on any tar, unless each barrel thereof shall contain thirty one gallons and an half, and that the officers who survey such barrel, shall not survey the same, till the water shall be all drawn off, and every barrel filled up with tar.

No bounty on tar, unless each barrel contain 31 gallons and an half, &c.

III. And be it further enacted by the authority aforesaid, That an act made in the ninth year of the reign of his present Majesty, intituled, *An act for the further encouraging and regulating the manufacture of British sail cloth, and for the more effectual securing the duties now payable on foreign sail cloth imported into this Kingdom*, which was to be in force from the twenty fourth day of June one thousand seven hundred and thirty six, for the space of five years, and to the end of the then next session of parliament.

9 Geo. 2. c. 37. for encouraging the manufacture of British sail cloth, &c.



continued by  
13 Geo. 2. c.  
28.

parliament; and which by another act made in the thirteenth year of the reign of his present Majesty, was further continued until the twenty fifth day of *December* one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be and the same is hereby further continued from the time therein limited for the expiration thereof, unto the twenty fifth day of *December* one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

further continued unto 25  
Dec. 1757.

4 Geo. 2. c.  
29. for an allowance on  
exportation of  
British gun-  
powder,

IV. And be it further enacted by the authority aforesaid, That an act made in the fourth year of the reign of his present Majesty, (intituled, *An act for granting an allowance upon the exportation of British made gunpowder*) which was to continue in force for five years from the twenty fourth day of *June* one thousand seven hundred and thirty one, and from thence to the end of the then next session of parliament, and which by another act made in the tenth year of the reign of his present Majesty, was further continued for seven years, and from thence to the end of the then next session of parliament, and which by another act made in the sixteenth year of the reign of his present Majesty, was further continued until the twenty fourth day of *June* one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof, until the twenty fourth day of *June*, one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

continued by  
10 Geo. 2. c.  
27. and 16  
Geo. 2 c. 26.

further continued to 24  
June, 1757.

### CAP. LIII.

*An act to regulate and restrain paper bills of credit in his Majesty's colonies or plantations of Rhode Island and Providence plantations, Connecticut, the Massachusetts Bay, and New Hampshire in America; and to prevent the same being legal tenders in payments of money.*

6 Ann c. 30.

WHEREAS the act of parliament made in the sixth year of her late majesty Queen Anne, intituled, *An act for ascertaining the rate of foreign coins in her Majesty's plantations in America, hath been entirely frustrated in his Majesty's said colonies of Rhode Island and Providence plantations, Connecticut, the Massachusetts Bay, and New Hampshire in America, by their creating and issuing, from time to time, great quantities of paper bills of credit, by virtue of acts of assembly, orders, resolutions or votes, made or passed by their respective assemblies, and making the tender of such bills of credit in payment for debts, dues and demands; which bills of credit have, for many years past, been depreciating in their value, by means whereof all debts of late years have been paid and satisfied with a much less value than was contracted for, which hath been a great discouragement and prejudice to the trade and commerce of his Majesty's subjects, by occasioning confusion in dealings, and lessening of credit in these parts: therefore, for the more effectual*

qual preventing and remedying of the faid inconveniencies, may it please your moft excellent Majefty, that it may be enacted; and be it enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal and commons in this prefent parliament affembled, and by the authority of the fame, That from and after the twenty ninth day of *September* one thousand feven hundred and fifty one, it fhall not be lawful for the governor, council or affembly for the time being, or any of them, or for the lieutenant governor, or perfon prefiding or acting as governor or commander in chief, for the time being, within all or any of the aforefaid colonies or plantations of *Rhode Ifland*, and *Providence* plantations, *Connecticut*, the *Massachusetts Bay*, and *New Hampshire*, to make or pafs, or give his or their affent to the making or paffing of any act, order, refolution, or vote, within any of the faid colonies or plantations, whereby any paper bills or bills of credit, of any kind or denomination whatfoever, fhall be created or iffued under any pretence whatfoever; or whereby the time limited, or the provision made for the calling in, finking or difcharging of fuch paper bills, or bills of credit, as are already fubfifting and paffing in payment, within any of the faid colonies or plantations, fhall be protracted or postponed; or whereby any of them fhall be depreciated in value, or whereby the fame fhall be ordered or allowed to be re-iffued, or to obtain a new and further currency; and that all fuch acts, orders, refolutions or votes, which fhall or may be paffed or made, after the faid twenty ninth day of *September* one thousand feven hundred and fifty one, within all or any of the faid colonies or plantations, fhall be, and are hereby declared to be null and void, and of no force or effect whatfoever.

No act to pafs for creating paper bills of credit.

or for protracting the time for the calling in fuch,

or for depreciating or re-iffuing the fame.

II. And be it further enacted by the authority aforefaid, That all fuch paper bills, or bills of credit, as are now fubfifting, and paffing in payments, within any of the faid colonies or plantations of *Rhode Ifland*, and *Providence* plantations, *Connecticut*, *Massachusetts Bay* and *New Hampshire*, fhall be duly and punctually called in, funk and difcharged, according to the tenor of and within the periods limited by the refpective acts, orders, votes or refolutions, for creating and iffuing, or continuing the fame refpectively, unlefs where the fame have been altered by any fubfequent act or acts of affembly; and in that cafe, that the fame be difcharged according to the tenor mentioned in the faid act or acts of affembly; and that no fuch paper bills, or bills of credit, fhall, from and after fuch periods fo limited, as aforefaid, be any longer current in all or any of the faid colonies or plantations refpectively.

Bills of credit now fubfifting, to be called in.

III. Provided neverthelefs, That nothing in this act contained fhall extend, or be conftrued to extend, to reftrein any governor or governors, council or affembly, within any of the faid colonies or plantations, from making or paffing any act or acts of affembly in any of the faid colonies or plantations, for the

Acts may pafs for iffuing bills of credit for the current fervice of the year, &c.

creating and iſſuing of ſuch paper bills, or bills of credit, in lieu of, and for ſecuring ſuch reaſonable ſum or ſums of money, as ſhall be requiſite for the current ſervice of the year; ſo as by ſuch act or acts of aſſembly, whereby ſuch paper bills, or bills of credit, ſhall be created or iſſued, ſufficient proviſion be made to ſecure the calling in, diſcharging and ſinking of the ſame, within a ſhort reaſonable time, not exceeding the ſpace of two years, to be computed from the dates of the reſpective acts whereby ſuch paper bills, or bills of credit, were created and iſſued; any thing herein before contained to the contrary thereof in any wiſe notwithstanding.

and for extra-ordinary emergencies, in caſe of war or invaſion.

IV. Provided alſo, That nothing herein contained ſhall extend, or be conſtrued to extend to reſtrain any governor or governors, council or aſſembly, within any of the ſaid colonies or plantations, from making or paſſing any act or acts of aſſembly, in any of the ſaid colonies or plantations, for creating and iſſuing ſuch paper bills, or bills of credit, in lieu of and for ſecuring ſuch reaſonable ſum or ſums of money as ſhall, at any time hereafter, be neceſſary or expedient upon ſudden and extraordinary emergencies of government, in caſe of war or invaſion, to as in every ſuch act or acts of aſſembly for the emiſſion of paper bills, or bills of credit, ſo iſſued as aforeſaid, due care be taken to aſcertain the real value of all ſuch principal ſum or ſums for which the ſame ſhall be ſo made, created and iſſued as aforeſaid, and alſo the intereſt to be paid thereon; and ſo as care be likewise taken, in the ſaid act or acts, to eſtabliſh and provide an ample and ſufficient fund for the calling in, diſcharging and ſinking, within as ſhort and reaſonable a time as may be, not exceeding five years at the fartheſt, all the ſaid bills, by actual payment of all and every the ſum and ſums of money for which the ſame ſhall be ſo made, created and iſſued as aforeſaid, with the intereſt due thereon.

V. And whereas there are now ſubſiſting and paſſing in payment, within the ſaid colonies and plantations, divers kinds of paper bills, or bills of credit, of various denominations, which have been heretofore created and iſſued within the ſaid colonies and plantations, or ſome of them, on loans and otherwiſe, whereby private perſons and their eſtates ſtand liable to, and bound for the diſcharge of the ſums by them borrowed and received on ſuch loans; without the payment of which ſums (in caſe any difficulty or obſtruction ſhould ariſe in the payment thereof) ſuch paper bills, or bills of credit ſo iſſued on ſuch loans, cannot be called in, diſcharged and ſunk, according to the tenor of the reſpective acts, orders, votes or reſolutions, by virtue whereof the ſame have been ſo reſpectively iſſued: for the providing a remedy for ſuch inconveniencies, be it further enacted by the authority aforeſaid, That all ſuch paper bills, or bills of credit, of what kind or denomination ſoever, which have at any time heretofore been created and iſſued on ſuch loans, within any of the ſaid colonies and plantations, be duly called in, and diſcharged and ſunk, according to the tenor of the reſpective acts, orders, votes or reſolutions, for creating and iſſuing, or continuing the ſame

Bills of credit on loans, to be called in.

time respectively, in like manner as all other paper bills or bills of credit, already subsisting within the said colonies or plantations, are herein before required to be called in, discharged and sunk.

VI. And be it further enacted by the authority aforesaid, That all persons who have borrowed and taken up any sum or sums of money on loans, for the discharge whereof they and their respective estates stand bound, shall be required and compelled, by all due and legal means, to satisfy and discharge the sums by them borrowed, according to the terms of such loans respectively, and the true intent and meaning thereof, except as is herein before excepted; and in case any deficiency or loss shall happen by failure of the security so taken on such loans respectively, that the same, and every part thereof, shall be supplied and made good by an adequate tax or imposition, to be equally and rateably assessed, levied and raised within the said colonies or plantations respectively, where such loss or deficiency shall so happen.

Persons who have borrowed money on loans, &c. compellable to discharge the same.

VII. And be it further enacted by the authority aforesaid, That from and after the twenty-ninth day of *September* one thousand seven hundred and fifty-one, no paper currency, or bills of credit, of any kind or denomination, which may be made, created or issued in any of the said colonies or plantations, pursuant to the provisions herein before made in this act, shall be a legal tender in payment of any private bargains, contracts, debts, dues or demands whatsoever, within the said colonies or plantations, or any of them.

No paper currency to be deemed a legal tender.

VIII. Provided, That nothing herein contained shall extend, or be construed to extend to make any of the bills now subsisting in any of the said colonies a legal tender.

IX. And be it further enacted by the authority aforesaid, That if any governor or commander in chief for the time being, in all or any of his Majesty's said colonies or plantations, whether commissioned by his Majesty, or elected by the people, shall, from and after the said twenty ninth day of *September* one thousand seven hundred and fifty one, give his assent to any act of assembly, order, resolution or vote, for the emission or issuing of any paper bills, or bills of credit, of any kind or denomination whatsoever; or for prolonging the time limited for calling in and sinking any such paper bills, or bills of credit, as are now subsisting and passing in payment; or for re issuing or depreciating the same, contrary to the true intent and meaning of this act; such act, order, resolution or vote, shall be *ipso facto* null and void, and such governor or commander in chief shall be immediately dismissed from his government, and for ever after rendered incapable of any publick office or place of trust.

Penalty on governor giving his assent to any act contrary to this act.

#### CAP. LIV.

An act for explaining, continuing and enforcing several laws therein mentioned, more effectually to prevent the spreading of the distemper which now rages amongst the horned cattle in this kingdom.

## C A P. LV.

*An act for amending and making more effectual a clause in an act passed in the last session of parliament, for the apprehending of persons in any county or place upon warrants granted by justices of the peace of any other county or place.*

2; Geo. 2. c. 26.  
f. 11.

Person being  
out of the ju-  
risdiction of  
the justice,  
who shall grant  
a warrant,

the justice  
where such  
persons shall  
be, to indorse  
the warrant,

**W**HEREAS by a clause in an act made in the twenty third year of his present Majesty's reign; it is amongst other things therein enacted, That from and after the twenty fourth day of June one thousand seven hundred and fifty, in case any person against whom a legal warrant shall be issued by any justice or justices of the peace, for any county, riding, division, city, liberty, town or place within this kingdom, shall escape or go into any other county, riding, division, city, liberty, town or place out of the jurisdiction of the justice or justices granting such warrant as aforesaid, it shall and may be lawful for any justice of the peace of the county, riding, division, city, liberty, town or place to which such person shall have gone or escaped, to indorse such warrant, upon application made to him for that purpose, and to cause the person against whom the same shall have been issued, to be apprehended and sent to the justice or justices who granted such warrant, or to some other justice or justices of the county, riding, division, city, liberty, town or place from whence such person shall have gone or escaped, to the end that he or she may be dealt with according to law: and whereas such offender or offenders may reside or be in some other county, riding, division, city, liberty, town or place out of the jurisdiction of the justice or justices granting such warrant as aforesaid, before the granting such warrant, and without escaping or going out of the county, riding, division, city, liberty, town or place after such warrant granted; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of June one thousand seven hundred fifty one, in case any person, against whom a warrant shall be issued by any justice or justices of the peace of any county, riding, division, city, liberty, town or place within this kingdom, shall escape, go into, reside or be in any other county, riding, division, city, liberty, town or place out of the jurisdiction of the justice or justices granting such warrant as aforesaid, it shall and may be lawful for any justice or justices of the peace of the county, riding, division, city, liberty, town or place where such person shall escape, go into, reside or be, and such justice or justices is and are hereby required, upon proof being made upon oath, of the hand writing of the justice or justices granting such warrant, to indorse his or their name or names on such warrant, which shall be a sufficient authority to the persons or persons bringing such warrant, and to all other persons to whom such warrant was originally directed, to execute such warrant in such other county, riding, division, city, liberty, town or place out

of the jurisdiction of the justice or justices granting such warrant as aforesaid, and to apprehend and carry such offender or offenders before the justice who indorſed such warrant, or some other justice or justices of such other county, riding, division, city, liberty, town or place where such warrant was indorſed, in case the offence for which such offender shall be so apprehended in such other county, riding, division, city, liberty, town or place as aforesaid, shall be bailable in law, and such offender shall be willing and ready to give bail for his appearance at the next assizes or general gaol delivery, or next general quarter-sessions of the peace, to be held in and for the county, riding, division, city, liberty, town or place where the offence was committed, such justice or justices of such other county, riding, division, city, liberty, town or place before whom such offender or offenders shall be brought, shall and may take bail of such offender or offenders, for his or their appearance at the next assizes or general gaol delivery, or at the next general quarter-sessions of the peace to be held in and for the county, riding, division, city, liberty, town or place where such offence was committed, in the same manner as the justices of the peace of the proper county, riding, division, city, liberty, town or place should or might have done in such proper county, riding, division, city, liberty, town or place; and the justice or justices of such other county, riding, division, city, liberty, town or place so taking bail as aforesaid, shall deliver the recognizance, together with the examination or confession of such offender or offenders, and all other proceedings relating thereto, to the constable, tythingman or other person or persons so apprehending such offender or offenders as aforesaid, who are hereby required to receive the same, and to deliver over such recognizance, examination and other proceedings to the clerk of assizes, or clerk of the peace of the county, riding, division, city, liberty, town or place where such offender or offenders is or are required to appear by virtue of such recognizance; and such recognizance, examination or confession shall be as good and effectual in law, to all intents and purposes, and of the same force and validity as if the same had been entered into, taken or acknowledged before a justice or justices of the peace in and for the proper county, riding, division, city, liberty, town or place where the offence was committed, and the same proceedings shall be had thereon; and in case such constable, tythingman or other person to whom such recognizance, examination, confession or other proceedings shall be so delivered as aforesaid, shall refuse or neglect to deliver over the same to the clerk of assizes, or clerk of the peace of the county, riding, division, city, liberty, town or place where such offender is required to appear by virtue of such recognizance, such constable, tythingman or other person shall forfeit the sum of ten pounds, to be recovered against him by bill, plaint or information, in any of his Majesty's courts at Westminster; by any person or persons who will prosecute or sue for the same; wherein no essoin, protection or wager of law shall

and the offender to be apprehended and brought before a justice where the warrant was indorſed,

and to deliver the recognizance, &c. to the constable, to be delivered over to the clerk of assizes, or clerk of the peace.

Penalty on constable not delivering over.

If the offence be not bailable, &c.

the constable to carry the offender before some justice where the offence was committed.

Justice indorsing the warrant not liable to action.

Action may lie against the justice originally granting the warrant.

Clause 23 Geo. 2 c. 26. f. 11. repealed.

shall be allowed, or more than one imparlance; and in case the offence for which such offender or offenders shall be apprehended and taken in any other county, riding, division, city, liberty, town or place shall not be bailable in law, or such offender or offenders shall not give bail for his appearance at the next assizes or general gaol delivery, or next general quarter-sessions of the peace, to be held in and for the county, riding, division, city, liberty, town or place where the offence was committed, to the satisfaction of the justice before whom such offender or offenders shall be brought in such other county, riding, division, city, liberty, town or place, then and in that case the constable, tythingman or other person or persons so apprehending such offender or offenders, shall carry and convey such offender or offenders before one of his Majesty's justices of peace of the proper county, riding, division, city, liberty, town or place where such offence was committed, there to be dealt with according to law.

II. And it is hereby enacted by the authority aforesaid, That no action of trespass, false imprisonment, information or indictment, or other action shall be brought, sued, commenced or prosecuted by any person or persons whatsoever, against the justice or justices who shall indorse such warrant, for or by reason of his or their indorsing such warrant.

III. Provided nevertheless, That such person or persons shall be at liberty to bring or prosecute his or their action or suit against the justice or justices who originally granted such warrant, in the same manner as such person or persons might have done in case this act had not been made.

IV. And it is hereby further enacted, That the said clause in the said recited act, and every thing in the said clause contained, shall from and after the said twenty fourth day of June be repealed.

## CAP. LVI.

*An act for ascertaining the admeasurement of wheat meal, or other corn or grain ground, for which a bounty is payable upon exportation; and for making allowances to the East-India company for their charges and expences in managing, paying and transferring their reduced annuities.*

1 W. 3. ft. 1.  
C. 12.

**W**HEREAS by an act of parliament made and passed in the first year of the reign of his late majesty King William the Third of glorious memory, (intituled, An act for the encouraging the exportation of corn) it is amongst other things enacted, That when malt or barley, Winchester measure, should be at four and twenty shillings per quarter or under, rye at two and thirty shillings per quarter or under, and wheat at eight and forty shillings per quarter or under, in any port or ports in this kingdom or dominion of Wales, every merchant or other person who should put on board in English shipping, the master and two thirds of his mariners on board being his Majesty's subjects, any sort of the corn aforesaid, from any such ports where the rates shall not then be higher than as aforesaid, with

with the intent to export the ſaid corn to parts beyond the ſeas, every ſuch merchant or perſon ſo ſhipping off any of the aforeſaid corn, and giving ſuch certificate and bond as in the ſaid act is mentioned, ſhall have and receive from ſuch farmers, commiſſioners, collectors or other perſons in any port reſpectively where the ſame corn ſhall be ſo ſhipped, for every quarter of barley or malt, ground or unground, two ſhillings and ſix pence; for every quarter of rye, ground or unground, three ſhillings and ſix pence; for every quarter of wheat, ground or unground, five ſhillings: and whereas by one other act of parliament made in the ſecond year of his preſent Maſteſty's reign, (intituled, An <sup>2</sup> Geo. 2. c. 18. act to aſcertain the cuſtom payable for corn and grain imported; for better aſcertaining the price and quantity of corn and grain for which a bounty is payable upon exportation; for appropriating the ſupplies granted in this ſeſſion of parliament; and for giving further time to clerks and apprentices to pay duties omitted to be paid for their indentures and contracts) it is amongſt other things enacted, That the officers of the cuſtoms ſhould be impowered to admeaſure all corn and grain whereon there is an allowance payable for the exportation thereof, and for greater expedition therein, that ſuch admeaſurement ſhould and might be by a tub or meaſure, containing four Wincheſter buſhels; and that if ſuch corn or grain intended to be exported, ſhould be brought to be ſhipped off in ſacks, that then the ſaid officers are thereby impowered and required to make choice of two of thoſe ſacks, out of any number not exceeding twenty ſacks, and ſo in proportion for any greater quantity, before the ſame ſhall be put on board for exportation, and thereby compute the quantity of corn ſo intended to be ſhipped for exportation, and according to ſuch computation, the allowance or bounty-money ſhould be paid to the exporter, for the whole quantity proportionably, upon his producing a certificate from the proper officer or officers of the cuſtoms, attesting the quantity and quality of the corn or grain ſo ſhippt for exportation, with a proviſo that nothing therein ſhould extend to alter the then practice, with reſpect to the manner of ſhipping corn from the port of London: and whereas the method above preſcribed for the meaſuring of corn to be exported, does not particularly aſcertain how wheat meal or other ground corn or grain, whereon there is a bounty, ſhall be meaſured for exportation: and whereas ſome doubts have ariſen in ſeveral of the ports of this kingdom, with regard to the exportation of corn ground and unground, as to the manner of computation and admeaſurement on the exportation thereof, and the bounty to be allowed thereon: and in order to reconcile all diſputes and differences that may ariſe in relation thereto, and to make the practice uniform in the ſeveral ports of this kingdom, we your Maſteſty's moſt dutiful and loyal ſubjects the commons of Great Britain in parliament aſſembled, do moſt humbly beſeech your Maſteſty that it may be enacted, and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of Auguſt one thouſand ſeven hundred and fifty one, the proper officers of his Maſteſty's cuſtoms ſhall be impowered to aſcertain the bounty payable for the exportation of corn and grain, and to allow the ſame bounty to be allowed on the



exportation of  
224 lb. of  
wheat meal,  
and other  
ground corn,  
as on four  
bushels of  
wheat, &c.

Officer may  
weigh 2 sacks  
out of 20, to  
compute the  
weight.

Bounty to be  
paid the ex-  
porter.

Treasury to  
make allowan-  
ces to the East  
India compa-  
ny, for their  
charges in  
making and  
transferring  
their reduced  
annuities.

23 Geo. 2. c. 22.

toms shall, and they are hereby directed and impowered to allow the same bounty and no more, upon the exportation of two hundred and twenty four pounds weight of wheat meal, or other ground corn or grain whereon there is a bounty, as is allowed upon the exportation of four bushels of wheat or other corn or grain unground, and so in proportion for any greater or lesser quantity; and for greater expedition therein, in case such wheat meal or other ground corn or grain shall be brought to be shipt off in sacks, the proper officers may make choice of and weigh two sacks out of any number not exceeding twenty sacks; and so in proportion for any greater quantity of wheat meal, or other ground corn or grain, before or after the same shall be put on board for exportation, and thereby compute the weight of the wheat meal, or other ground corn or grain so shipt or intended to be shipt for exportation, by proportioning the same accordingly; and the bounty-money upon such wheat meal, or other ground corn or grain, shall be paid to the exporter for so much and no more, upon his producing a certificate from the proper officer or officers of the customs, attesting the true quantity, quality and weight thereof, according to the said computation only, and not otherwise; any law, custom or usage to the contrary notwithstanding.

II. And be it further enacted by the authority aforesaid, That the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall, and they are hereby authorized and impowered, to make such allowances to the united company of merchants of *England* trading to the *East-Indies*, as they shall think just and reasonable for the charges and expences attending the receiving, paying, transferring and transacting the affairs of the several annuities, amounting to the principal sum of three millions, created in pursuance of an act of the last session of parliament, (intituled, *An act for giving further time to the proprietors of annuities, after the rate of four pounds per centum per annum, to subscribe the same in the manner and upon the terms therein mentioned; and for redeeming such of the said annuities as shall not be so subscribed, and for impowering the East-India company to raise certain sums by transferrable annuities*) which said allowances so to be made to the said united company, shall be charged upon and paid out of the said duties and revenues as are appropriated for the payment of the annuities aforesaid.

#### C A P. LVII.

*An act to continue several laws therein mentioned; for preventing theft and rapine on the northern borders of England; for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and doing injuries and violences to the persons and properties of his Majesty's subjects, and for the more speedy bringing the offenders to justice.*

*juſtice; for continuing two claules to prevent the cutting or breaking down the bank of any river or ſea bank; and to prevent the malicious cutting of hop-binds; for the more effectual puniſhment of perſons maliciously ſetting on fire any mine, pit or delp of coal, or cannel coal; and of perſons unlawfully hunting or taking any red or fallow deer in forests or chaces, or beating or wounding the keepers or other officers in forests, chaces or parks; for granting a liberty to carry ſugars of the growth, produce or manufacture of any of his Maſteſty's ſugar colonies in America, from the ſaid colonies directly into foreign parts, in ſhips built in Great Britain, and navigated according to law; for preventing the committing of frauds by bankrupts; for giving further encouragement for the importation of naval ſtores from the Britiſh colonies in America; and for preventing frauds and abuſes in the admeaſurement of coals in the city and liberty of Weſtmiſter; and to make ſome further proviſions in relation to the ſigning of certificates for the diſcharge of bankrupts.*

**W**HEREAS the laws herein aſter-mentioned, which have by experience been found uſeful and beneficial, are near expiring; may it therefore pleaſe your Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent Maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That an act made in the thirteenth and fourteenth years of the reign of King Charles the Second, (intituled, *An act for preventing of theft and rapine upon the northern borders of England*) which by ſeveral acts hath from time to time been continued, and by an act made in the ſixth year of the reign of his preſent Maſteſty, (for making perpetual ſeveral acts, and for other purpoſes therein mentioned) was further continued until the firſt day of September one thouſand ſeven hundred and forty four, and from thence to the end of the then next ſeſſion of parliament; and alſo ſeveral claules, powers and authorities in the afore-mentioned act made in the ſixth year of the reign of his preſent Maſteſty, for the more effectual preventing of theft and rapine upon the northern borders of England, and which by the ſaid act were to continue in force until the firſt day of September one thouſand ſeven hundred and forty-four, and from thence to the end of the then next ſeſſion of parliament; and which ſaid act, together with the ſaid ſeveral claules, powers and authorities were, by an act made in the ſeventeenth year of his preſent Maſteſty's reign, further continued until the twenty-fourth day of June one thouſand ſeven hundred and fifty one, and from thence to the end of the then next ſeſſion of parliament; ſhall be and the ſame is hereby further continued from the expiration thereof, until the firſt day of September one thou-

13 & 14 Car. 2.  
c. 22. for pre-  
venting theft  
upon the nor-  
thern borders.

6 Geo. 2. c 37.

17 Geo. 2. c. 40.

further conti-  
nued to 1 Sep.  
ſand 1757.

said seven hundred and fifty-seven, and from thence to the end of the then next session of parliament.

9 Geo. 1. c. 22.  
for punishing  
persons going  
in disguise, &c.

II. And be it further enacted by the authority aforesaid, That an act made in the ninth year of the reign of his late majesty King George the First (intituled, *An act for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and doing injuries and violences to the persons and properties of his Majesty's subjects, and for the more speedy bringing the offenders to justice*) which was to continue in force from the first day of *June* one thousand seven hundred and twenty three, for three years, and from thence to the end of the then next session of parliament;

12 Geo. 1. c. 30.

ment; and which by an act made in the twelfth year of the reign of his said late Majesty, was continued from the expiration thereof, for five years, and from thence to the end of the then next session of parliament;

6 Geo. 2. c. 37.

and which by a clause in another act made in the sixth year of the reign of his present Majesty (for making perpetual several acts, and for other purposes therein mentioned) was further continued until the first day of *September* one thousand seven hundred and thirty six, and from thence to the end of the then next session of parliament;

10 Geo. 2. c. 32.

which by another act made in the tenth year of the reign of his present Majesty, was further continued from the expiration thereof until the first day of *September* one thousand seven hundred and forty four, and from thence to the end of the then next session of parliament;

17 Geo. 2. c. 40.

and which by another act made in the seventeenth year of his present Majesty's reign, was further continued until the twenty fourth day of *June* one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof, until the first day of *September* one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

further continued to 1 Sept.  
1757.

Clause in  
6 Geo. 2. c. 37.  
f. 5. to prevent  
the cutting  
the banks of  
rivers, &c.

III. And be it further enacted by the authority aforesaid, That a clause in an act made in the sixth year of the reign of his present Majesty (for making perpetual several acts, and for other purposes therein mentioned) to prevent the cutting or breaking down the bank of any river or sea bank, which was to continue in force during the continuance of an act made in the ninth year of the reign of his said late Majesty; and which by another act made in the tenth year of the reign of his present Majesty, was further continued during the continuance of the aforesaid mentioned act made in the ninth year of the reign of his said late Majesty; and which by another act made in the seventeenth year of his present Majesty's reign, was further continued until the twenty fourth day of *June* one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of *September* one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

further continued to 1 September 1757.

IV. And

IV. And be it further enacted by the authority aforesaid, That a clause in an act made in the sixth year of the reign of his present Majesty (for making perpetual several acts, and for other purposes therein mentioned) to prevent the malicious cutting of hop-binds growing on poles in any plantation of hops, which was to continue in force during the continuance of an act made in the ninth year of the reign of his said late Majesty; and which by another act made in the tenth year of the reign of his present Majesty, was further continued during the continuance of the aforesaid act made in the ninth year of the reign of his said late Majesty; and which by another act made in the seventeenth year of his present Majesty's reign, was further continued until the twenty fourth day of *June* one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of *September* one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

Clause in 6 Geo. 2. c. 37. s. 6. to prevent the malicious cutting of Hop-binds, &c.

further continued to 1 September 1757.

V. And be it further enacted by the authority aforesaid, That a clause in an act made in the tenth year of the reign of his present Majesty, for extending (during the continuance of the said act made in the ninth year of the reign of his said late Majesty) all the provisions in the last-mentioned act contained, for the more speedy and easy bringing the offenders against the said act to justice, and the persons who shall conceal, aid, abet or succour such offenders; and for making satisfaction and amends to all and every the person and persons, their executors and administrators, for the damages they shall have sustained or suffered by any offender or offenders against the said act; and for the encouragement of persons to apprehend and secure such offender and offenders; and for the better and more impartial trial of any indictment or information which shall be found commenced or prosecuted for any of the offences committed against the said act, together with all restrictions, limitations and mitigations by the said act directed, to all cases of offences committed by unlawfully and maliciously breaking down or cutting down the bank or banks of any river, or any sea bank, whereby any lands shall be overflowed or damaged; or by unlawfully and maliciously cutting any hop-binds growing on poles in any plantation of hops; or by wilfully and maliciously setting on fire, or causing to be set on fire, any mine, pit, or delph of coal, or cannel coal; and which by an act made in the seventeenth year of his present Majesty's reign, was further continued until the twenty fourth day of *June* one thousand seven hundred and fifty one, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of *September*, one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

Clause in 10 Geo. 2. c. 32. s. 4. &c. for extending the provisions for bringing offenders to justice, &c.

further continued to 1 September 1757.

VI. And be it further enacted by the authority aforesaid, That

Claufes in 10  
Geo. 2. c. 32.  
for puniſhing  
the malicious  
ſetting on fire  
any mines,  
&c.

That ſeveral clauſes in an act made in the tenth year of the reign of his preſent Maſteſty, for the more effectual puniſhment of perſons maliciously ſetting on fire any mine, pit or delph of coal, or cannel coal, or unlawfully hunting or taking any red or fallow deer in foreſts or chaces, or beating or wounding the keepers, or other officers, in foreſts, chaces or parks, which were to continue in force during the continuance of an act made in the ninth year of the reign of his ſaid late Maſteſty; and which by an act made in the ſeventeenth year of his preſent Maſteſty's reign, were further continued until the twenty fourth day of *June* one thouſand ſeven hundred and fifty one, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame are hereby further continued from the expiration thereof until the firſt day of *September* one thouſand ſeven hundred and fifty ſeven, and from thence to the end of the then next ſeſſion of parliament.

further conti-  
nued to 1 Sep-  
tember 1757.

12 Geo. 2. c.  
30. for liberty  
to carry ſugars  
from the Bri-  
tiſh colonies to  
foreign parts,  
&c.

VII. And be it further enacted by the authority aforeſaid, That an act made in the twelfth year of the reign of his preſent Maſteſty, (intituled, *An act for granting a liberty to carry ſugars of the growth, produce or manuſacture of any of his Maſteſty's ſugar colonies in America, from the ſaid colonies directly to foreign parts, in ſhips built in Great Britain, and navigated according to law*) which was to continue in force for five years, from the twenty ninth day of *September* one thouſand ſeven hundred and thirty nine, and from thence to the end of the then next ſeſſion of parliament; and which by another act made in the ſeventeenth year of the reign of his preſent Maſteſty, was further continued until the twenty fourth day of *June* one thouſand ſeven hundred and fifty one, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued from the expiration thereof until the firſt day of *September* one thouſand ſeven hundred and fifty ſeven, and from thence to the end of the then next ſeſſion of parliament.

17 Geo. 2. c. 40.

further conti-  
nued to 1 Sep-  
tember 1757.

5 Geo. 2. c. 30.  
to prevent the  
committing of  
frauds by  
bankrupts,

VIII. And be it further enacted by the authority aforeſaid, That an act made in the fifth year of the reign of his preſent Maſteſty, (intituled, *An act to prevent the committing of frauds by bankrupts*) which was to continue in force for three years, from the twenty fourth day of *June* one thouſand ſeven hundred and thirty two, and from thence to the end of the then next ſeſſion

9 Geo. 2. c. 18.

of parliament; and which by an act made in the ninth year of the reign of his preſent Maſteſty, was further continued until the twenty ninth day of *September* one thouſand ſeven hundred and forty three, and from thence to the end of the then next ſeſſion of parliament; and which by another act made in the

16 Geo. 2. c. 27.

ſixteenth year of the reign of his preſent Maſteſty, was further continued until the twenty ninth day of *September* one thouſand ſeven hundred and fifty, and from thence to the end of the then next ſeſſion of parliament, ſhall be, and the ſame is hereby further continued from the expiration thereof until the firſt day of *September* one thouſand ſeven hundred and fifty ſeven,

further conti-  
nued to 1 Sep-  
tember 1757.

ven, and from thence to the end of the then next ſeſſion of parliament.

IX. And whereas many abuſes have been committed by bankrupts, and perſons who, with their privity, have attempted to prove fictitious and pretended debts under commiſſions of bankruptcy, in order that ſuch perſons might be enabled to ſign their conſent to the certificates for diſcharging ſuch bankrupts from their debts: for remedy whereof, and in order to prevent the like fraudulent and wicked practices for the future, be it enacted by the authority aforeſaid, That where any perſons ſhall fraudulently ſwear or depoſe, or being of the people called *Quakers* affirm, before the major part of the commiſſioners named in any commiſſion of bankruptcy, or by affidavit or affirmation exhibited to them, that a ſum of money is due to him or her from any bankrupt or bankrupts, which ſhall in fact not be really and truly ſo due or owing; and ſhall, in reſpect of ſuch fictitious and pretended debt, ſign his or her conſent to the certificate for ſuch bankrupt's diſcharge from his debts; that in every ſuch caſe, unleſs ſuch bankrupt ſhall, before ſuch time as the major part of the ſaid commiſſioners ſhall have ſigned ſuch certificate, by writing by him to be ſigned and delivered to one or more of the ſaid commiſſioners, or to one or more of the aſſignees of his eſtate and effects under ſuch commiſſioners, diſcloſe the ſaid fraud, and object to the reality of ſuch debt, ſuch certificate ſhall be null and void to all intents and purpoſes, and ſuch bankrupt ſhall not in that caſe be intitled to be diſcharged from his debts, or to have or receive any of the benefits or allowances given or allowed to bankrupts by the ſaid act of the fifth year of his preſent Maſteſty's reign; any thing therein contained to the contrary thereof in any wiſe notwithstanding.

Perſons ſwear-  
ing to a ficti-  
tious debt  
from a bank-  
rupt,

and ſigning the  
certificate;

unleſs the  
bankrupt ſhall  
diſcloſe the  
fraud,

the certificate  
to be null, &c.

X. And it is hereby enacted, That where any creditor or Letter of at-  
creditors of any bankrupt reſide in foreign parts, the letter of torney from  
attorney of ſuch creditor, attested by a notary publick in the creditor in fo-  
uſual form, ſhall be a ſufficient evidence of the power and au- reign parts, to  
thority by which any perſon thereby authorized ſhall ſign any authorize ſign-  
bankrupt's certificate; any thing in the ſaid act of the fifth year ing certificate.

XI. And be it further enacted by the authority aforeſaid, That ſo much of an act made in the eighth year of the reign of Part of 8 Geo.  
his late maſteſty King George the Firſt (intituled, *An act for giving further encouragement for the importation of naval ſtores, and 1. c. 12. for*  
for other purpoſes therein mentioned) as relates to the importation, encouraging  
of wood and timber, and of the goods commonly called *Lumber*, the importa-  
there; particularly enumerated, from any of his Maſteſty's Bri- tion of naval  
tiſh plantations or colonies in *America*, free from all cuſtoms and ſtores, &c.  
impoſitions whatſoever, which was to be in force for twenty one  
years from the twenty fourth day of June one thouſand ſeven  
hundred and twenty two; and which by an act made in the  
ſixteenth year of the reign of his preſent Maſteſty was further 16 Geo. 2. c. 26.  
continued until the twenty fourth day of June one thouſand  
ſeven

seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of September one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

19 Geo. 2. c. 35.  
to prevent  
frauds in the  
admeasurement  
of coals  
in Westminster,  
&c.

XII. And be it further enacted by the authority aforesaid, That an act made in the nineteenth year of the reign of his present Majesty, (intituled, *An act more effectually to prevent the frauds and abuses committed in the admeasurement of coals within the city and liberty of Westminster, and that part of the duty of Lancaster adjoining thereunto, and the several parishes of Saint Giles in the Fields, Saint Mary le Bon, and such part of the parish of Saint Andrew, Holborn, as lies in the county of Middlesex*) which was to continue in force from the twenty fourth day of September one thousand seven hundred and forty six, for the term of three years, and from thence to the end of the then next session of parliament; and which by another act made in the twenty third year of the reign of his present Majesty, was further continued until the twenty fourth day of December one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued from the expiration thereof until the first day of September one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament.

23 Geo. 2. c. 26.

further continued to 1 September 1757.

#### CAP. LVIII.

An act for making, widening, and keeping in repair several roads in the several parishes of Lambeth, Newington, Saint George's Southwark, and Bermondsey, in the county of Surrey; and Lewisham in the county of Kent. *Certain tolls granted for 31 years.*

#### CAP. LIX.

An act for the enlarging of the terms and powers, and making more effectual several acts of parliament for repairing and amending the highways leading from Royton in the county of Hertford to Wansford Bridge in the county of Huntingdon, so far as relates to the amending of that part of the road as lies between a place called the White Post on Alconbury Hill in the county of Huntingdon, and Wansford Bridge in the same county, called the North Division; and that the tolls taken at Saltree and Wansford toll gates may, from and after a certain time be lowered; and for repairing the road leading from Stilton in the said county of Huntingdon to Peterborough in the county of Northampton. *The acts 9 Ann. and 13 Geo. 2. c. 32. in part continued for 10 years.*

*Anno Regni GEORGII II. Regis Magnæ  
Britanniæ, Franciæ, & Hiberniæ, vice-  
simo quinto.*

**A**T the parliament begun and holden at Westminster, the tenth day of November, Anno Dom. 1747, in the twenty first year of the reign of our sovereign lord George the Second, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations to the fourteenth day of November, 1751. being the fifth session of this present parliament.

CAP. I.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and fifty two. E X P.

CAP. II.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters. E X P.

CAP. III.

An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, within the space of one year from the twenty fifth day of March one thousand seven hundred and fifty two. E X P. At 3 s. in the pound.

CAP. IV.

An act for appointing the deputy or secondary of the chief clerk to irrol pleas in the King's Bench, called, The master of the King's Bench office, one of the registers or masters for the inrolment of deeds, wills, and other conveyances, in the county of Middlesex, in the place and stead of such chief clerk.

**W**HEREAS by an act of parliament made in the seventh year of the reign of her late majesty Queen Anne, (intituled, 7 Ann. c. 20. An act for the publick registering of deeds, conveyances and wills, and other incumbrances which shall be made of or that may affect any honours, manors, lands, tenements or hereditaments within the county of Middlesex, after the twenty ninth day of September one thousand seven hundred and nine) it is, among other things, enacted, That one publick office for registering memorials of and concerning any honours, manors, lands, tenements and hereditaments, that are situate, lying and being within the said county, shall be erected and established in manner therein mentioned; that is to say, That for the better and more effectual putting in execution



execution the several matters and things in the said act contained, the sworn clerk to execute the office of inrolment in the high court of Chancery, who is appointed to inrol for the county of Middlesex, the chief clerk to inrol pleas in the Queen's Bench, the clerk of the warrants in the court of Common Pleas, and the Queen's remembrancer, or his deputy, in the court of Exchequer, shall be the registers or masters of the office for the matters and things in the said act contained: and whereas the inrolling of pleas, signing of judgments, and divers other business transacted in his Majesty's court of King's Bench, is under the inspection and management of the said chief clerk's deputy, or secondary, called, The master of the King's Bench office, who might properly have executed the said place or office of one of such registers or masters for the purposes mentioned in the said act, instead of the said chief clerk, had there been authority given to such chief clerk's deputy to execute the said place or office of one of the said registers or masters, as is by the said recited act given to the Queen's (now King's) remembrancer's deputy in the court of Exchequer; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty fifth day of December one thousand seven hundred and fifty one, the deputy or secondary of the chief clerk to inrol pleas in the King's Bench for the time being, called, *The master of the King's Bench office*, shall be, and is hereby constituted and appointed one of the registers or masters of the office for the matters and things contained in the before recited act, in the room, place and stead of the said chief clerk, to inrol pleas in the King's Bench, with the like powers and authorities to all intents and purposes as by the said recited act is thereby given to such chief clerk; and the chief clerk to inrol pleas in the King's Bench shall be, and is, by virtue of this act, discharged from being one of the registers or masters for inrolling such deeds, wills, and other conveyances for the said county of Middlesex as are mentioned in the before-recited act, and of and from any disability or incapacity which such chief clerk, as one of the said registers, would have been subject or liable to by virtue thereof.

The deputy of the chief clerk appointed a register.

Chief clerk discharged from being a register.

Deputy to take the oath of office,

and to enter into recognizance, &c.

II. And be it enacted by the authority aforesaid, That such deputy, or secondary, called, *The master of the King's Bench office*, shall, before he enters upon the execution of the said office of one of such registers or masters, take the oath mentioned and prescribed to be taken by every such register or master in and by the afore-recited act; and shall also enter into such recognizance in such sum of money, and with sufficient sureties, to be approved of in such manner and form as therein mentioned and set forth; and shall be liable to such and the like penalties and forfeitures for any misbehaviour or neglect of duty to the execution of the said office of one of such registers or masters, as any of the other registers or masters are liable and subject to by virtue of the before-recited act.

III. And be it further enacted by the authority aforesaid, That

That this act, and every clause, matter and thing herein contained, shall be taken and allowed, in all courts within this kingdom, as a publick act; and all judges, justices, and other persons therein concerned, are hereby required as such to take notice thereof, without specially pleading the same.

## CAP. V.

An act to continue and make more effectual an act passed in the second year of the reign of his present Majesty, for repairing the highways between Sheppard's Shord and Horsley Upright Gate, leading down Bagdown Hill, in the county of Wilts, and other ruinous parts of the highways thereunto adjacent. The act 2 Geo. 2. c. 12. continued for 21 years.

## CAP. VI.

*An act for avoiding and putting an end to certain doubts and questions relating to the attestation of wills and codicils concerning real estates in that part of Great Britain called England, and in his Majesty's colonies and plantations in America.*

**W**HEREAS by an act made in the twenty ninth year of the reign of his late majesty King Charles the Second, intituled, <sup>29 Car. 2. c. 3,</sup> s. 5.

An act for prevention of frauds and perjuries; it is amongst other things enacted, That from and after the twenty fourth day of June in the year of our Lord one thousand six hundred and seventy seven, all devises and bequests of any lands or tenements deviseable, either by force of the statute of wills, or by that statute, or by force of the custom of Kent, or the custom of any borough, or any other particular custom, shall be in writing, and signed by the party so devising the same, or by some other person in his presence, and by his express direction; and shall be attested and subscribed in the presence of the said devisor, by three or four credible witnesses, or else they shall be utterly void and of none effect, which hath been found to be a wise and good provision: but whereas doubts have arisen who are to be deemed legal witnesses within the intent of the said act; therefore, for avoiding the same, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That if any person shall attest the execution of any will or codicil which shall be made after the twenty fourth day of June in the year of our Lord one thousand seven hundred and fifty two, to whom any beneficial devise, legacy, estate, interest, gift or appointment of or affecting any real or personal estate, other than and except charges on lands, tenements or hereditaments for payment of any debt or debts, shall be thereby given or made, such devise, legacy, estate, interest, gift or appointment, shall, so far only as concerns such person attesting the execution of such will or codicil, or any person claiming under him, be utterly null and void; and such person shall be admitted as a witness to the execution of such will or codicil, within the intent of the said act;

Devisee, &c., attesting, the devise void, but he admitted to prove the will.

notwithſtanding ſuch deviſe, legacy, eſtate, intereſt, gift or appointment mentioned in ſuch will or codicil.

Creditor at-  
teſting, ad-  
mitted a wit-  
neſs.

II. And be it further enacted by the authority aforeſaid, That in caſe, by any will or codicil already made or hereafter to be made, any lands, tenements or hereditaments are or ſhall be charged with any debt or debts; and any creditor whoſe debt is ſo charged, hath atteſted or ſhall atteſt the execution of ſuch will or codicil, every ſuch creditor, notwithſtanding ſuch charge, ſhall be admitted as a witneſs to the execution of ſuch will or codicil, within the intent of the ſaid act.

Legatee who  
has been paid,  
or ſhall reſuſe  
his legacy, ad-  
mitted a wit-  
neſs.

III. And be it further enacted by the authority aforeſaid, That if any perſon hath atteſted the execution of any will or codicil already made, or ſhall atteſt the execution of any will or codicil which ſhall be made on or before the ſaid twenty fourth day of *June* in the year of our Lord one thouſand ſeven hundred and fifty two, to whom any legacy or bequeſt is or ſhall be thereby given, whether charged upon lands, tenements or hereditaments, or not; and ſuch perſon, before he ſhall give his teſtimony concerning the execution of any ſuch will or codicil, ſhall have been paid, or have accepted or releaſed, or ſhall have reſuſed to accept ſuch legacy or bequeſt, upon tender made thereof; ſuch perſon ſhall be admitted as a witneſs to the execution of ſuch will or codicil, within the intent of the ſaid act, notwithſtanding ſuch legacy or bequeſt.

After reſuſal,  
he is barred  
from the lega-  
cy; but after  
acceptance, he  
may retain the  
ſame, tho' the  
will void.

IV. Provided always, and be it further enacted, That in caſe of ſuch tender and reſuſal as aforeſaid, ſuch perſon ſhall in no wiſe be intitled to ſuch legacy or bequeſt, but ſhall be for ever afterwards barred therefrom; and in caſe of ſuch acceptance as aforeſaid, ſuch perſon ſhall retain to his own uſe the legacy or bequeſt which ſhall have been ſo paid, ſatiſfied or accepted, notwithſtanding ſuch will or codicil ſhall afterwards be adjudged or determined to be void for want of due execution, or for any other cauſe or defect whatſoever.

Legatee atteſt-  
ing, and dying  
in the life-time  
of the teſtator,  
or before he  
has received  
or reſuſed his  
legacy, admit-  
ted a witneſs.

V. And be it further enacted, That in caſe any ſuch legatee as aforeſaid, who hath atteſted the execution of any will or codicil already made, or ſhall atteſt the execution of any will or codicil which ſhall be made on or before the ſaid twenty fourth day of *June* in the year of our Lord one thouſand ſeven hundred and fifty two, ſhall have died in the life time of the teſtator, or before he ſhall have received or releaſed the legacy or bequeſt ſo given to him as aforeſaid, and before he ſhall have reſuſed to receive ſuch legacy or bequeſt, on tender made thereof, ſuch legatee ſhall be deemed a legal witneſs to the execution of ſuch will or codicil, within the intent of the ſaid act, notwithſtanding ſuch legacy or bequeſt.

Credit of the  
witneſs to be  
determined by  
the court, &c.

VI. Provided always, That the credit of every ſuch witneſs ſo atteſting the execution of any will or codicil, in any of the caſes in this act before-mentioned, and all circumſtances relating thereto, ſhall be ſubject to the conſideration and determination of the court, and the jury, before whom any ſuch witneſs ſhall be examined, or his teſtimony or atteſtation made uſe of;

or of the court of equity, in which the testimony or attestation of any such witness shall be made use of; in like manner, to all intents and purposes, as the credit of witnesses in all other cases ought to be considered of and determined.

VII. And be it further enacted by the authority aforesaid, That no person to whom any beneficial estate, interest, gift or appointment shall be given or made, which is hereby enacted to be null and void as aforesaid, or who shall have refused to receive any such legacy or bequest, on tender made as aforesaid, and who shall have been examined as a witness concerning the execution of such will or codicil, shall, after he shall have been so examined, demand or take possession of or receive any profits or benefit of or from any such estate, interest, gift or appointment so given or made to him, in or by any such will or codicil; or demand, receive or accept from any person or persons whatsoever, any such legacy or bequest, or any satisfaction or compensation for the same, in any manner or under any colour or pretence whatsoever.

No devisee, where the devise is made void, &c. being examined to the execution of the will, shall afterwards take any benefit or compensation for the same.

VIII. Provided always, and be it enacted by the authority aforesaid, That this act or any thing herein contained shall not extend or be construed to extend to the case of any heir at law, or of any devisee in a prior will or codicil of the same testator, executed and attested according to the said recited act, or any person claiming under them respectively, who has been in quiet possession for the space of two years next preceding the sixth day of May in the year of our Lord one thousand seven hundred and fifty one, as to such lands, tenements and hereditaments, whereof he has been in quiet possession as aforesaid; and also that this act or any thing herein contained, shall not extend or be construed to extend, to any will or codicil, the validity or due execution whereof hath been contested in any suit in law or equity commenced by the heir of such devisor, or the devisee in any such prior will or codicil, for recovering the lands, tenements or hereditaments mentioned to be devised in any will or codicil so contested, or any part thereof, or for obtaining any other judgment or decree relative thereto, on or before the said sixth day of May in the year of our Lord one thousand seven hundred and fifty one, and which has been already determined in favour of such heir at law, or devisee in such prior will or codicil, or any person claiming under them respectively, or which is still depending, and has been prosecuted with due diligence; but the validity of every such will or codicil, and the competency of the witnesses thereto, shall be adjudged and determined in the same manner, to all intents and purposes, as if this act had never been made; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Cases where the validity of wills, and competency of witnesses, are not affected.

IX. Provided always nevertheless, and it is hereby declared, That no possession of any heir at law, or devisee in such prior will or codicil as aforesaid, or of any person claiming under them respectively, which is consistent with, or may be warranted by or under any will or codicil attested according to the true intent and

Possessions which are not comprehended within the meaning of the preceding clause.

and meaning of this act, or where the estate descended or might have descended to such heir at law, till a future or executory devise, by virtue of any will or codicil attested according to this act, should or might take effect, shall be deemed to be a possession within the intent and meaning of the clause herein last before contained.

This act to extend to such of the British colonies, where the act of 29 Car. 2. c. 3. is received, &c.

X. *And whereas in some of the British colonies or plantations in America, the said act of the twenty ninth year of the reign of King Charles the Second, has been received for law, or acts of assembly have been made, whereby the attestation and subscription of witnesses to devises of lands, tenements and hereditaments have been required:* therefore, to prevent and avoid doubts which may arise in the said colonies or plantations, in relation to the attestation of such devises of lands, tenements and hereditaments; be it enacted by the authority aforesaid, That this act, and every clause, matter and thing therein contained, shall extend to such of the said colonies and plantations, where the said act of the twenty ninth year of the reign of King Charles the Second, is by act of assembly made, or by usage received as law, or where by act of assembly or usage, the attestation and subscription of a witness or witnesses are made necessary to devises of lands, tenements or hereditaments; and shall have the same force and effect in the construction of or for the avoiding of doubts upon the said acts of assembly, and laws of the said colonies and plantations, as the same ought to have in the construction of or for the avoiding of doubts upon the said act of the twenty ninth year of the reign of King Charles the Second in England.

Devises, &c. in the plantations by wills made after 1 March 1753, affected by this act.

XI. Provided always, That as to cases arising in any of the said colonies or plantations in America, no such devise, legacy or bequest as aforesaid, shall be made null and void by virtue of this act, unless the will or codicil whereby such devise, legacy or bequest shall be given, shall be made after the first day of March which shall be in the year of our Lord one thousand seven hundred and fifty three.

### C A P. VII.

*An act to rectify a mistake in an act passed in the twenty fourth year of the reign of his present Majesty, intituled, An act for explaining and amending an act passed the twenty first year of his present Majesty, intituled, An act for the relief of the annuitants of the wardens and commonalty of the mystery of Mercers in the city of London; and for other purposes therein mentioned.*

24 Geo. 2. c. 14.

WHEREAS by an act made and passed in the twenty fourth year of the reign of his present Majesty, intituled, An act for explaining and amending an act passed in the twenty first year of the reign of his present Majesty, intituled, *An act for the relief of the annuitants of the wardens and commonalty of the mystery of Mercers of the city of London; and for other purposes therein*

in mentioned; it was among other things enacted, That it ſhould and might be lawful to and for the ſaid wardens and commonalty, and their ſucceſſors, and they were thereby impowered at any time after the firſt day of June one thouſand ſeven hundred and fifty one, by any indenture or indentures under their common ſeal, in conſideration of the uſual rent, and of the beſt fine that could be got for the ſame, to make or grant one or more leaſes of all or any part of the manor of Mercers in the ſaid act mentioned, with the farms, lands, tenements and hereditaments, and all and every the rights, members and appurtenances thereto belonging, and of all other the lands, tenements and hereditaments of and belonging to the ſaid company in the kingdom of Ireland, to ſuch perſon or perſons as they ſhould think fit, ſuch leaſe or leaſes to commence and to take effect from and immediately after the expiration or other determination of any former leaſes theretofore thereof granted by the ſaid company, and then unexpired; and to endure and continue from thenceforth for and during, and unto the full end and term of ſixty one years, or to commence and take effect from and immediately after the expiration or other determination of any leaſe or leaſes, theretofore thereof granted by the ſaid company, and then unexpired, or to endure and continue from thenceforth for and during the natural lives of ſuch three perſons as ſhould at the time of making ſuch laſt-mentioned leaſe or leaſes reſpectively, be named by the reſpective leſſee or leſſees thereof, and be inſerted in the ſaid leaſe or leaſes for that purpoſe, and the life of the longer liver of them; and from and immediately after the deceaſe of the ſurvivor of ſuch of the ſaid three perſons, further to endure and continue for and during, and unto the full end and term of ſixty one years, to be computed from ſuch the expiration or determination of the term or terms for which the ſame premiſſes were then leaſed out as aforeſaid; by which ſaid act power was meant and intended among other things to be given to the ſaid wardens and commonalty, to make or grant a leaſe or leaſes in manner mentioned therein, of the ſaid manor of Mercers, and other lands and premiſſes in Ireland, in the ſaid act mentioned, to commence and take effect as in the ſaid act is menti<sup>n</sup>d, and to endure and continue for three lives, and further to endure and to continue for ſixty one years, in manner as is more fully contained and expreſſed in the ſaid act; but in that part of the ſaid recited claufe, whereby power was intended to be given to the ſaid wardens and commonalty to make ſuch leaſes, to endure for three lives as aforeſaid, the word Or, now ſtanding there between the words, and now unexpired, and the words to endure and continue from thenceforth for and during the natural lives of ſuch three perſons, was there inſerted by miſtake, inſtead of the word And: therefore, for the rectifying and amending the ſaid miſtake, and for preventing and remedying all doubts and defects in and concerning the power ſo intended by the ſaid act to be given to the ſaid wardens and commonalty, may it pleaſe your Majeſty that it may be enacted, &c.

The meaning of the recited act declared, and the miſtake rectified.

## CAP. VIII.

An act for repairing the road leading from the Royal Oak on Wrotham Heath, to the town of Wrotham in the county of Kent; and from thence to the village of Foot's Cray in the said county. *Certain tolls granted for 21 years.*

## CAP. IX.

*An act for enlarging the term granted by two several acts of the third and ninth years of his late Majesty's reign, for continuing the duty of two pennies Scots upon every pint of ale and beer sold in the city of Edinburgh, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there.*

**W**HEREAS by an act passed in the parliament of Scotland in the year one thousand six hundred and ninety three, a duty of two pennies Scots was granted to the community of the city of Edinburgh, and to the magistrates and town council of the same, and their successors in office, for the uses therein specified, upon every pint of ale or beer either brewed, brought in, or vended, tapped and sold, within the said town and suburbs and liberties thereof, for the space of fifteen years and further, not exceeding the space of thirty years, commencing from the first day of July, one thousand six hundred and ninety three; which said duties were by an act of the third year of his late majesty King George the First, intituled, An act for continuing the duties of two pennies Scots upon every pint of ale and beer sold in the city and liberty of Edinburgh, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there, further continued for the further term of nineteen years, for the purposes therein mentioned: and whereas by an act passed in the ninth year of his said late Majesty, intituled, An act for enlarging the term granted by an act made in the third year of his Majesty's reign, for continuing the duty of two pennies Scots upon every pint of ale and beer sold in the city of Edinburgh, for the purposes therein mentioned; and for discontinuing payment of the petty port customs there; and for making the said act more effectual, the said duties were continued for the further term of nineteen years from the expiration of the last recited act; and were also extended to the several brewers within the parishes of Saint Cuthbert, the Cannon Gate, and South and North Leith; and the produce of the said duties are by the said act directed to be applied in the carrying on and compleating such publick works and such other purposes, to the advantage of the said community, as are recited in the said last mentioned act: and whereas the said city of Edinburgh, being the metropolis and seat of government of Scotland, has been by its remarkable zeal in supporting the protestant interest, and other unavoidable occasions, involved in very considerable debts, far exceeding what the common revenue of the said city could discharge; and it appears that the revenue granted by the said acts has been managed with the utmost oeconomy, and faithfully applied to the purposes thereby directed, yet the same having greatly decreased since the commencement of the

the act of the ninth year of his late Majesty's reign, inſomuch that it now produces little more than ſufficient to answer the annual burthens already charged thereupon : and whereas ſeveral of the publick works by the ſaid former acts directed to be performed, remain ſtill unfiniſhed, and it will be impoſſible to finiſh the ſame, and diſcharge the debt already contracted upon the credit of the ſaid duties, without a further continuation of the term already granted for collecting the ſame : to the end therefore that the ſaid neceſſary works may be completed, and the ſaid debt diſcharged, your Maſteſty's moſt dutiful and loyal ſubjects the provost, magiſtrates, and council of the ſaid city of *Edinburgh*, in behalf of themſelves and the community of the ſaid city, do moſt humbly beſeech your Maſteſty that it may be enacted, and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled and by the authority of the ſame, That the rates duties and impositions made payable by the ſaid act of the ninth year of his late Maſteſty's reign, upon all ale and beer brewed, brought in, vended, tapped or ſold within the ſaid city of *Edinburgh* or ſuburbs or liberties thereof (except as in the ſaid act is excepted) and alſo the ſaid rates duties and impositions thereby granted upon all ale and beer brewed, brought in for ſale, vended, tapped or ſold within all or any of the pariſhes of *Saint Cuthbert*, *Cannon Gate*, *South* and *North Leith*, ſhall, from and after the expiration of the term granted by the ſaid act of the ninth year of his late Maſteſty, be further continued collected and made payable to the provost, magiſtrates and council of the ſaid city of *Edinburgh* for the time being, and their ſucceſſors, for and during the further term of thirty eight years ; and the ſaid duties ſhall be levied and paid by the ſame means and methods, and by and under the ſame penalties and forfeitures, and ſhall be ſubject and liable to the ſame reſtrictions, regulations and inſpection, and applicable to the ſame works and other purpoſes (except ſuch works as are already finiſhed and completed) as are preſcribed, mentioned and expreſſed in the ſaid act of the ninth year of his late Maſteſty's reign ; and that the ſaid act, and every article, rule, clause, matter and thing therein contained ; ſhall be in full force and effect from the expiration thereof, for the ſaid further term of thirty eight years, to all intents and purpoſes as if the ſame were at large repeated and re-enacted in the body of this act.

The duties continued for 38 years.

II. Provided always, and be it enacted by the authority aforeſaid, That nothing contained in this act, or in the above-mentioned act of the ninth year of his late Maſteſty, ſhall be conſtrued to ſubject to the ſaid duty or impoſition any ale or beer vended within the precincts of the caſtle of *Edinburgh*, for the uſe of the garriſon or any of the inhabitants of the ſaid caſtle.

Ale vended within the precincts of the caſtle exempted.

III. Provided always, That the produce of the ſaid tolls and duties ſhall, in the firſt place, be ſubject and liable to pay and diſcharge the reaſonable charges and expences incurred in procuring

Expences of this act to be firſt paid.



curing and passing this present act of parliament; any thing in the said former act to the contrary notwithstanding.

Payments to  
the parishes of  
St. Cuthbert,  
&c. continued.

IV. And be it further enacted by the authority aforesaid, That the annual payments which were awarded by the arbiters by virtue of the said act of the ninth year of his late Majesty's reign, to be paid to the proprietors of the parishes of *St. Cuthbert, Cannon Gate, South and North Leith*, shall continue to be paid to the said proprietors during the continuance of this present act, in the same manner and under the same regulations as by the said act is directed and prescribed.

The present  
capital debt  
not to be in-  
creased.

V. And be it further enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend to empower the persons appointed to put the said act of the ninth year of his late Majesty, or this present act, in execution, or any other person or persons whatsoever, to borrow any further sum, so as to increase the present capital debt, upon the credit of the said duties by the said former act and this present act made payable.

State of the  
accounts to be  
made up.

VI. And be it further enacted by the authority aforesaid, That the magistrates and town council of the said city for the time being shall, upon the third *Tuesday* of the month of *July*, which shall be in the year of our Lord one thousand seven hundred and ninety nine, make up a full, compleat and perfect state of all the money which shall have arisen and been received by and from the said duties granted by the said former and this present act, and of all sums of money laid out from time to time for the several purposes in the said former acts and this present act mentioned, and of what debts shall be then owing on account of the said former and this present act; to the end that it may appear, if any overplus money shall remain; and in case any overplus shall remain, the same shall be laid out and applied, with the approbation of the overseers for the time being, in such manner as directed by the said act of the ninth year of his late Majesty.

When the  
payments  
charged on  
the duty are  
to cease.

VII. And be it further enacted and declared, That the annual payments with which the said duty is burthened, shall continue and endure only till the first day of *July* which shall be in the year of our Lord one thousand seven hundred and ninety nine, and no longer.

Publick act.

VIII. And be it further enacted by the authority aforesaid, That this act shall be deemed and taken to be a publick act, of which notice shall by all courts in this kingdom be judicially taken, and all judges, justices and other persons are hereby required to take notice of it as such.

#### C A P. X.

*An act for the more effectual securing mines of black lead from theft and robbery.*

WHEREAS by experience it hath been found, that wad or black cawke, commonly called Black Lead, is and hath been necessary for divers useful purposes, and more particularly in the cast-  
ing

ing bomb shells, round shot, and cannon balls; and that such wad, black cawke, or Black Lead, hath hitherto been discovered in one mountain, or ridge of hills, only in this realm; and that great waste and destruction therein, hath of late years been made by wicked and wil-disposed persons, who, by reason of the situation of the mine or mines, wad-hole or wad-holes of the said wad, black cawke or black lead, and of the great difficulty to secure and preserve the same from being unlawfully broke, or by force entered into; and also by reason of the small punishment by the laws now in being, annexed to offences of the like kind, have been encouraged unlawfully to enter, and by force to keep possession of the same; and from thence unlawfully to take and carry away great quantities of the said wad, black cawke or black lead; for the more effectual security of all and every mine or mines, wad-hole or wad-holes of wad or black cawke, commonly called Black Lead; and for preventing the unlawful breaking and entering into the same; or the unlawful taking and carrying away from such mine or mines, wad-hole or wad-holes, any wad, black cawke or black lead; and for punishing such offenders in a more exemplary manner, than by the laws in being can now be done; may it therefore please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all and every person or persons that shall from and after the twenty fourth day of June which shall be in the year of our Lord one thousand seven hundred and fifty two, unlawfully break, or by force enter into any mine or mines, wad-hole or wad-holes of wad or black cawke, commonly called Black Lead, or into any pit, shaft, adit or vein of wad, black cawke or black lead, with an intent to take and carry away from thence any wad, black cawke or black lead; or shall unlawfully from thence take and carry away any wad, black cawke or black lead, although such mine or mines, wad-hole or wad-holes, pit, shaft, adit or vein, be not actually broke, or by force entered into by such offender or offenders; or shall aid, abet, assist, hire or command any person or persons to commit such offence or offences as aforesaid; that then, and in every such case all and every such person or persons shall be deemed and construed to be guilty of felony; and it shall and may be lawful for the court, or judge, before whom any such person or persons so offending as aforesaid, shall be lawfully convicted, to order such offender or offenders to be committed to the prison or gaol of the said county, appointed for criminals, or to some house of correction within the same county, for a time not exceeding one year, there to be kept to hard labour during all the said time, and to be publicly whipt by the common hangman, or by the master of such house of correction, at such times and at such places, and in such manner, as such court or judge shall think proper; or it shall and may be lawful to and for such court or judge, or for any other subsequent court held at the same place, with the like authority as the former, to order such offender

The entering any mines of black lead, with intent to steal,

or the assisting or hiring persons to do so, deemed felony;

and the offenders to be committed for a year, and publicly whipt;

or to be transported for 7 years;

fender or offenders to be transported to some of his Majesty's plantations beyond the seas, for a term not exceeding seven years as such court or judge shall think most proper; and thereupon judgment shall be given, that the person or persons so convicted, shall be committed and whipt, or transported accordingly; and if transportation shall be directed, the same shall be executed in such manner, as is or shall be provided by law for the transportation of felons; and if any such person or persons so committed or transported, shall voluntarily escape or break prison, or return from transportation before the expiration of the time for which he, she or they shall be ordered to be transported, as aforesaid, such person or persons being thereof lawfully convicted, shall suffer death as a felon, without benefit of clergy, and shall be tried for such felony in the county where he, she or they so escaped, or where he, she or they shall be apprehended.

and if they escape from prison, or return from transportation, to suffer death;

and a certificate of the former conviction, deemed sufficient proof thereof.

II. And be it further enacted by the authority aforesaid, That if any person shall be convicted or attainted of any of the offences aforesaid, and shall voluntarily escape, break prison or return from transportation as aforesaid, and shall be apprehended in any other county or city different from that wherein the said offence was committed, the clerk of the assize, or clerk of the peace for the county or city where such conviction or attainder for the said offence or offences was had, shall, at the request of the prosecutor, or of any other on his Majesty's behalf, certify the same by a transcript in few words, containing the effect and tenor of such conviction or attainder, for which certificate two shillings and six pence, and no more shall be paid; and such certificate being produced in court shall be sufficient proof of such former conviction or attainder.

Receivers of lead, knowing such to be stolen guilty of felony.

III. And be it further enacted by the authority aforesaid, That all and every person or persons who shall, from and after the said twenty fourth day of June, one thousand seven hundred and fifty two, buy or receive any wad or black cawke, commonly called *Black Lead*, knowing the same to be so unlawfully taken and carried away as aforesaid, shall be deemed and construed to be guilty of felony, and being convicted thereof, shall be subject and liable to all the pains and penalties, which any person or persons can or may by the laws and statutes of this realm, be subject and liable to, for buying or receiving any goods or chattels that have been feloniously taken or stolen, knowing the same to have been stolen.

#### CAP. XI.

An act to enable the parishioners of the parish of East Greenwich, in the county of Kent, to deposit corpse in the vaults or arches under the church in the said parish, and to ascertain the fees that shall be paid for the same.

#### CAP. XII.

An act for repairing and widening the road from the town of Warminster, in the county of Wilts, to the city of Bath, in the county of Somerset; and also the road from the town of Frome, in the said county of Somerset, to the town of Beckington in the same county; and for repairing the road from Heytesbury to Anstrow Hill, in the county of Wilts. *Certain tolls granted for 21 years.*

## CAP. XIII.

An act for repairing the road from the town of Cirenceſter to the town of Stroud, and that part of Rodborough Hill which leads to Dudbridge; and alſo the road leading from Cirenceſter towards Biſley, ſo far as the bottom of Gulph Hill; all in the county of Glouceſter. *Certain tolls granted for 21 years.*

## CAP. XIV.

*An act to open the port of Lancaſter, for the importation of wool and woollen yarn from Ireland.*

WHEREAS the port of Lancaſter, in the county palatine of Lancaſter, is very conveniently ſituated for the importation of wool and woollen yarn from Ireland; and the opening of the ſaid port for that purpoſe, will be of great utility and advantage to the woollen manufactures in the northern parts of England, and more eſpecially in the counties of Lancaſter, York, and Weſtmoreland; and may alſo be a means of increaſing the importation of wool and woollen yarn from Ireland, into this kingdom: may it therefore pleaſe your moſt excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled and by the authority of the ſame, That from and after the firſt day of May one thouſand ſeven hundred and fifty two, it ſhall and may be lawful for any perſon or perſons to import into the port of Lancaſter, in the county palatine of Lancaſter, any wool or woollen or bay yarn, wool fells, ſhortlings, mortlings, wool ſlocks, or worſted yarn, from Ireland; any act or acts of parliament to the contrary in any wiſe notwithstanding.

Port of Lancaſter opened for importation of wool from Ireland,

II. Provided always, and be it enacted by the authority aforeſaid, That all ſuch importations of wool and woollen or bay yarn, wool fells, ſhortlings, mortlings, wool ſlocks and worſted yarn, from Ireland, into the ſaid port of Lancaſter, ſhall be made from ſuch ports only, and under the ſame reſtrictions and regulations, in all reſpects, as wool or woollen yarn is now by law permitted to be imported into the ſeveral ports of Biddeford, Barnſtable, Minehead, Bridgewater, Briſtol, Milford Haven, Cheſter and Liverpool, or any of them, and in the ſame manner, to all intents and purpoſes, as if the ſaid port of Lancaſter had been particularly named for the importation of the ſaid goods, in an act made in the tenth and eleventh years of the reign of the late King William the Third, intituled, *An act to prevent the exportation of wool out of the kingdoms of Ireland and England, into foreign parts; and for the encouragement of the woollen manufactures in the kingdom of England; or in any other act or acts of parliament whaſoever.*

under the ſame regulations as in 10 and 11 Will. 3. c. 10.

## CAP. XV.

An act to indemnify perſons who have omitted to qualify themſelves for offices and employments; and alſo perſons who have omitted to make and file affidavits of the execution of articles of clerkſhip within the time limited by law; and for allowing further time for thoſe purpoſes. *Exo. Time*

*Time given to 28 Nov. 1752. to take the oaths, &c. and the ſame time for filing affidavits of clerks.*

## C A P. XVI.

An act for enlarging the term and powers granted by two acts of parliament, for repairing and amending the highways between the town or village of Tittenſor, and the moſt northern part of Talk on the Hill, in Butt Lane in the county of Stafford. *The act 8 Geo. 2. c. 5. continued for 21 years.*

## C A P. XVII.

An act for repairing the road leading from the Green Man in the chapel-ry of Seend, in the county of Wilts, through Troubridge, to a place called White Trough, in the pariſh of Troubridge in the ſame county; and from thence by Road Church to Beckington, in the county of Somerſet. *Certain tolls granted for 21 years.*

## C A P. XVIII.

An act for repairing the road leading from Long Horſley bar or gate, on the poſt road near the town of Morpeth, by or through Long Horſley, Weldon-Bridge, and Whittingham, to the river Breamiſh, and from thence to Piercy's Croſs, in the county of Northumberland. *Certain tolls granted for 21 years.*

## C A P. XIX.

*An act to open the port of Great Yarmouth for the importation of wooll and woollen yarn from Ireland.*

**W**HEREAS the opening of the port of Great Yarmouth, in the county of Norfolk, for the importation of wool and woollen yarn from Ireland will be of great utility and advantage to the woollen manufactures in that part of England, by rendering the conveyance of thoſe materials to the ſeveral towns and places where the ſaid manufactures are carried on, more eaſy, cheap and expeditious; and may alſo be a means of increaſing the importation of wool and woollen yarn from Ireland into this kingdom: may it therefore pleaſe your moſt excellent Maſteſty that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of May one thouſand ſeven hundred and fifty two, it ſhall and may be lawful for any perſon or perſons to import into the port of Great Yarmouth, in the county of Norfolk, any wool or woollen or bay yarn, wool ſells, ſhortlings, mortlings, wool ſlocks, and worſted yarn, from Ireland; any act or acts of parliament to the contrary in any wiſe notwithstanding.

The port of Great Yarmouth opened for the importation of wool from Ireland;

under the regulations in 10 & 11 W. 3. c. 10.

II. Provided always, and be it enacted by the authority aforeſaid; That all ſuch importations of wool, and woollen or bay yarn, wool ſells, ſhortlings, mortlings, wool ſlocks and worſted yarn, from Ireland into the ſaid port of Great Yarmouth, ſhall be made from ſuch ports only, and under the ſame reſtrictions and regulations in all reſpects, as wool or woollen yarn is now by law permitted to be imported into the ſeveral ports of Biddeford, Barnſtople, Minehead, Bridgwater, Briſtol, Milford Haven, Cheſter, and Liverpoole, or any of them; and in the ſame manner, to all intents

intents and purposes, as if the said port of *Great Yarmouth* had been particularly named for the importation of the said goods in an act made in the tenth and eleventh years of the reign of the late King *William the Third* (intituled, *An act to prevent the exportation of wool out of the kingdoms of Ireland and England into foreign parts; and for the encouragement of the woollen manufactures in the kingdom of England*) or in any other act or acts of parliament whatsoever.

## CAP. XX.

*An act to obviate doubts that have arisen with regard to the admission of the vassals of the principality of Scotland, and payment of their rents and duties.*

**W**HEREAS a doubt hath arisen, whether the lands and other heretages, commonly known by the name of The principality of Scotland, and as such possessed by his late royal highness Frederick prince of Wales, as prince and steward of Scotland; did, upon his death, descend to his royal highness George William Frederick now prince of Wales, or whether the same did return to the King's most excellent majesty; whereby it is rendered uncertain in what manner the vassals of the said principality ought to be entered, and to whom the rents, issues and profits of the principality ought to be paid, and by whom the vassals should be thereof acquitted: and whereas by reason, especially of the loss of great part of the ancient records of Scotland, the removing of that doubt may be attended with considerable delay and difficulty; and although the rents, issues, and profits of the principality itself are of very inconsiderable value, and have proved hardly sufficient to defray the expence of the officers necessary for collecting or administering the same; yet in the mean time it will be highly prejudicial to the vassals of the said principality, and to their heirs, or singular successors, or purchasers from them, if no certain method shall be settled, whereby the title to lands, or other heretages holding of the said principality, may be effectually made up and compleated; for the relief therefore of the vassals, and all other persons, who may be interested in lands and heretages, holding of the said principality; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament, and by the authority of the same, That it shall and may be lawful for his Majesty, until his royal highness George William Frederick prince of Wales shall attain the full age of twenty one years, to hold and possess the said principality and stewartry of Scotland, and to give entries, charters, or infeftments, to the vassals thereof, containing clauses of *Novo damus*, and other clauses usual, and to do every other act concerning the said principality and stewartry of Scotland, in the same manner that hath been formerly practised and accustomed by his royal predecessors the Kings or Queens of Scotland, or of Great Britain, when there was no prince in being; and all such entries, charters, infeftments or other acts and deeds, concerning the said principality,

His Majesty to hold the principality of Scotland, to grant entries, &c. to the vassals, &c. thereof, till the prince of Wales shall be of the age of 21 years.

The rights of the crown, and of the prince of Wales, reserved; except that of avoiding the en-tries, &c.

pality, or any part thereof, shall be good, valid and effectual in law, to the vassals receiving the same, and all parties having interest therein, to all intents and purposes whatsoever: saving to the King's most excellent majesty, his heirs and successors, and to his royal highness *George William Frederick* prince of *Wales*, his heirs and successors, all such right, title or interest in, to, or out of the said principality or stewartry of *Scotland*, or to the rents, issues and profits of the same, as they would have had, in case this act had not been made; other than and except any right to avoid, impeach or call in question, any entry, charter, infestment, or other act and deed to be made or granted by his Majesty, to the vassals, as aforesaid; and the payment of any rents, feu duties, or other duties and casualties, as against any vassals, tenants, singular successors or purchasers; all which are by this act intended to be made good, valid and effectual, for and in respect of such vassals, tenants and singular successors, and all persons claiming, or to claim, by, from or under them, or any of them.

## CAP. XXI.

An act for repairing the roads from Wallingford in the county of Berks to Wantage, and from thence to Faringdon, and also from Wantage to Idson in the said county. *Certain tolls granted for 21 years.*

## CAP. XXII.

An act for repairing the roads from the town of Shrewsbury through Ellesmere in the county of Salop, and Overton in the county of Flint, to Wrexham in the county of Denbigh. *Certain tolls granted for 21 years.*

## CAP. XXIII.

An act for the better relief and employment of the poor in the parishes of Saint Margaret and Saint John the Evangelist in the city of Westminster; and for cleansing the streets and repairing the highways within the said parishes.

## CAP. XXIV.

An act for repairing and widening the roads from Tinhead Hill to the Round Stone in Trowbridge; and from Flinty Nap to Western Down in the parish of Edington in the county of Wilts; and other roads in the counties of Wilts and Somerset, leading towards the cities of Bristol and Bath. *Certain tolls granted for 21 years.*

## CAP. XXV.

*An act for granting to his Majesty a certain sum of money therein mentioned, out of the Sinking fund; and for enabling his Majesty to raise a further sum of money therein also mentioned, by exchequer bills, to be charged on the said Sinking fund, for the service of the year one thousand seven hundred and fifty two; and for the further appropriating the supplies granted in this session of parliament.*

*Most gracious Sovereign,*

**W**E your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous

deſirous to raiſe the neceſſary ſupplies which we have chearfully granted to your Maſteſty in this ſeſſion of parliament, for the ſervice of the year one thouſand ſeven hundred and fifty two, in the eaſieſt manner we are able, for the benefit of your Maſteſty's ſubjects, and alſo to uſe ſuch ways and means therein as that your Maſteſty may have the better and more ſpeedy effect of the ſaid ſupplies, have reſolved to give and grant unto your Maſteſty the ſum of five hundred thouſand pounds out of the ſurpluſſes, exceſſes and overplus monies, commonly called the *Sinking fund*; and to that end and purpoſe do moſt humbly beſeech your Maſteſty, that it may be enacted; and be it enacted by the King's moſt excellent Maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That by or out of ſuch monies as now are or ſhall from time to time be and remain in the receipt of the exchequer, of the ſaid ſurpluſſes, exceſſes or overplus monies, commonly called the *Sinking fund*, (after paying or reſerving ſufficient to pay all ſuch annuities, or annual ſum and ſums of money as have been directed by any former act or acts of parliament, to be paid out of the ſame) there ſhall and may be iſſued and applied, a ſum not exceeding the ſaid ſum of five hundred thouſand pounds, for and towards the ſupply granted to his Maſteſty for the ſervice of the ſaid year one thouſand ſeven hundred and fifty two; and the commiſſioners of his Maſteſty's treaſury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

500,000 l.  
granted out of  
the ſinking  
fund towards  
the ſupply for  
the current  
year.

II. And whereas your Maſteſty's ſaid dutiful and loyal ſubjects, the commons of Great Britain in parliament aſſembled, have alſo reſolved to give and grant unto your Maſteſty the further ſum of one million four hundred thouſand pounds, towards the ſupply granted to your Maſteſty for the ſervice of the ſaid year one thouſand ſeven hundred and fifty two, to be raiſed in manner hereafter mentioned: and whereas the governor and company of the bank of England have propoſed to advance and pay into the receipt of your Maſteſty's exchequer, the ſum of one million, for payment of part of the debt of the navy, and other publick ſervices; and alſo the ſum of four hundred thouſand pounds charged on the additional duties on ſtamps herein after mentioned, now carrying an intereſt at three pounds ten ſhillings per centum per annum, which purſuant to notice given the laſt ſeſſion of parliament are to be redeemed and paid off, upon condition that exchequer bills be iſſued to them on or before the times at which the ſaid ſums of one million and four hundred thouſand pounds reſpectively ſhall be wanted to be advanced, carrying an intereſt at three pounds per centum per annum, to be charged on the *Sinking fund*; and that the ſaid principal ſums of one million and four hundred thouſand pounds, ſhall be repaid to them out of the firſt exceſſes or ſurpluſſes of the ſaid *Sinking Fund* that ſhall be applied to the payment of the principal of the national debt, next after the remainder of the ſum of

1,400,000 l.  
advanced by  
the bank to  
pay off the  
naval and  
other ſervices.



one million one hundred and ninety thousand one hundred and eleven pounds sixteen shillings and one penny; which has been advanced by the said governor and company, pursuant to an act of the last session of parliament, shall be discharged and paid off; now we your Majesty's said dutiful and loyal commons in parliament assembled, being of opinion that it will be of advantage to the publick to accept of the said proposal, and being also desirous to lessen the national debt as fast as conveniently may be consistent with justice and publick faith, do also most humbly beseech your Majesty, that it may be enacted; and be it enacted by the authority aforesaid, That it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, on his Majesty's behalf, to contract and agree with the said governor and company of the bank of *England* to advance and pay into the said receipt of exchequer any sum or sums of money not exceeding in the whole the said sum of one million four hundred thousand pounds for exchequer bills, to be made forth at the said receipt in the manner herein after mentioned, in such proportions, and at such respective times, as the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, shall judge to be most for the advantage of the publick, for the purposes aforesaid

The bank allowed 3 l. per cent. interest.

III. And be it further enacted by the authority aforesaid, That the said governor and company of the bank of *England*, and their successors, shall have and receive an interest or *premium* after the rate of three pounds *per centum per annum*, for the said principal sum of one million four hundred thousand pounds, to be advanced by them into the said receipt of exchequer, from the respective times of advancing and paying the same, or any part thereof into the said receipt, which said interest or *premium* shall be paid from time to time to the said governor and company, and their successors, by quarterly payments out of the monies arising at the said receipt of exchequer, of or for the surplusses, excesses or overplus monies, commonly called the *Sinking fund*, until such times, as the said exchequer bills, or any part thereof, shall be discharged and cancelled in the manner and form by this act hereafter provided.

Treasury to make out exchequer bills,

IV. And be it further enacted by the authority aforesaid, That the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being shall, and they are hereby authorized and impowered to prepare and make, or cause to be prepared and made at the exchequer, at once, or at such times, and in such proportions, and in such method and form as they or he shall think most safe and convenient, any number of new exchequer bills, containing one common sum of different sums in the principal monies, so as such

such bills do not exceed in the whole the said principal sum of one million four hundred thousand pounds.

V. And be it further enacted by the authority aforesaid, That the said bills to be made and prepared in pursuance of this act, shall and may bear an interest not exceeding the said rate or *premium* of three pounds *per centum per annum*, and proportionably for any greater or less sum to be contained therein, and to be payable to the bearers thereof respectively; nevertheless the said interest shall be abated and saved upon such of the said bills to be made forth by this act, as shall at any time or times be in the receipt of the exchequer, or in the hands or power of any receivers or collectors of any taxes, aids or revenues whatsoever, payable to his Majesty, his heirs or successors, during such time and times respectively as such bills shall be or remain in the said receipt, or in such hands or power as aforesaid.

VI. And it is hereby enacted, That all the said bills shall be numbered arithmetically, beginning with N<sup>o</sup> I. and so proceeding in an arithmetical progression, ascending, wherein the common excess or difference shall always be one, and shall be registered accordingly, so that the principal sum to be contained in every such bill may regularly be paid off and discharged in course, according to the number of every such bill, as it shall stand in the said register; and that the interest upon all and every the same bills shall be payable every three months, according to the purport and true meaning of this act; and that upon every such bill there shall be indorsed, printed or written, in words at length, or in figures, the sum, after which the principal to be contained therein, shall be payable in such course as aforesaid, according to the purport and true meaning of this act.

VII. And it is hereby further enacted, That all the said bills shall be prepared and made with such cheques, indents or counterfoils, as shall be directed by the commissioners of the treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being; and that the person or persons who shall be appointed to pay off the said bills in course, shall from time to time have the use and custody of one part of all the cheques, indents or counterfoils of the said exchequer bills, to be prepared and made by virtue of this act, from which the same shall have been cut, to prevent his or their being imposed upon by counterfeit or forged bills; and that the undertakers or contractors for exchanging and circulating the said bills, or such of them as shall be current, shall from time to time have the use and custody of one other part of all the said cheques, indents or counterfoils of the said exchequer bills from which the same shall have been cut off as aforesaid, in order to prevent their being imposed upon by any counterfeit or forged bills; and that all the said parts of the said cheques, indents or counterfoils, shall be delivered back into the exchequer, when the said bills to be made forth by virtue of this act shall be paid off, cancelled and discharged.

Bills to be  
placed as cash  
in the ex-  
chequer.

VIII. And it is hereby enacted, That the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being shall, and they are hereby respectively authorized and empowered to cause such bills, as shall be prepared by virtue of this act, to be placed as so much cash in the respective offices of the tellers of the said receipt of the exchequer, each and every of which tellers shall be severally charged with the proportion of the said bills which shall be so placed in his office respectively; any law or usage to the contrary notwithstanding.

Currency of  
the bills.

IX. And be it further enacted by the authority aforesaid, That all the said bills to be issued as aforesaid, shall be current in like manner, and with such privileges and advantages, and subject to such rules and directions, as are prescribed and enacted by an act of this present session of parliament, (intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder and perry, for the service of the year one thousand seven hundred and fifty two*) for or concerning the exchequer bills thereby authorized to be made forth; and that all and every the clauses and provisos in the said last mentioned act, relating to the currency, exchanging or receiving the same last mentioned exchequer bills, by any publick receivers of aids, taxes or supplies, or in his Majesty's receipt of the exchequer, or for forging, counterfeiting or altering the same bills, or making out new bills in the room of such as shall be filled up with indorsements, lost, burnt, defaced, or otherwise destroyed, or for making out exchequer bills of five thousand pounds each, or for making out exchequer bills without bearing interest, or for making them afterwards to bear an interest, or a higher or lower rate of interest, from time to time, as the contractors shall agree to, or for preventing any misapplication of the fund on which the same are charged, or any other misbehaviour of any officers concerned in the receiving, issuing, exchanging, paying off or cancelling the same last-mentioned exchequer bills, or for obliging the contractors to pay the interest of, or exchange for ready money on demand, the exchequer bills thereby authorized to be issued at a rate or *premium* not exceeding three pounds *per centum per annum*, or for preventing any disabilities in any such contractors, or for making them not liable to be bankrupts on account of such contracts, or for appointing a paymaster or paymasters for paying off and cancelling the same exchequer bills in due course and order (not otherwise altered by this act) shall extend, and be construed to extend, as well to the exchequer bills by this act authorized to be made forth, as to the exchequer bills to be made forth in pursuance of the said act for continuing and granting the duties upon malt, mum, cyder and perry, (except such clauses as do charge the same on the rates and duties continued and granted by the same act) as amply, fully and effectually, to all intents and purposes, as if the same clauses

vifoes had been particularly repeated and re-enacted *verbatim* in this act.

X. And be it further enacted by the authority aforefaid, That the faid commissioners of the treasury, or any three or more of them now being, or the faid high treafurer, or any three or more of the commissioners of the treasury for the time being, shall or may iflue, or caufe to be iflued to fuch paymafter or paymafters to be conftituted as aforefaid, by way of impreft and upon account, fo much monies out of the growing produce of the faid furplufles, exceffes or overplus monies, commonly called the *Sinking fund*, as fhall from time to time incur and grow due to the faid contractors for the intereft or *præmum* upon the faid exchequer bills to be made forth by this act during the continuance thereof, and fuch other payments as are by this act directed or allowed to be paid or difcharged out of the fame; any thing in this or any former act or acts of parliament to the contrary notwithstanding.

Treafury to iflue money to pay the intereft by way of impreft.

XI. Provided alfo, and be it further enacted by the authority aforefaid, That it is the true intent and meaning of this act, that all the exchequer bills hereby authorized to be made forth, not exceeding the faid fum of one million four hundred thoufand pounds as aforefaid, fhall be, and they are hereby charged upon the faid furplufles, exceffes or overplus monies, commonly called the *Sinking fund*; and the fame exchequer bills fhall (from and immediately after all the exchequer bills made forth for the principal fum of one million one hundred ninety thoufand and forty one pound sixteen fhillings and one penny, advanced by the governor and company of the bank of *England*, in purfuanee of an act of the laft feflion of parliament, and charged on the faid *Sinking fund*, fhall be paid off and difcharged) from time to time be paid off to the faid governor and company of the bank of *England*, out of the monies that fhall from time to time arife into the faid receipt of exchequer, of or for the faid *Sinking fund*, which may be applied to the payment of the principal of the national debt, and not otherwife: and the faid commissioners of the treasury, or any three or more of them now being, or the faid high treafurer, or any three or more of the commissioners of the treasury for the time being, fhall and may, and they are hereby authorized and enabled to caufe fuch monies which fhall from time to time arife at the faid receipt of exchequer, of or for the faid *Sinking fund*, applicable to the payment of the principal of the national debt as aforefaid (after paying off and difcharging the exchequer bills before-mentioned) to be iflued from time to time to fuch paymafter or paymafters to be conftituted as aforefaid, by way of impreft and upon account, to be by him or them applied towards the paying off and difcharging the exchequer bills hereby authorized to be made forth as aforefaid, or any part thereof, in the manner before directed; and at fuch times and in fuch proportions, as the faid commissioners of the treasury, or any three or more of them, or the high treafurer for the time being, fhall judge to be moft for the advantage

The bills charged on the *Sinking fund*.

Interest to  
ceafe upon  
fuch of the  
bills as fhall be  
paid of.

Appropriati-  
on of the fup-  
plies,

tage of the publick; from which refpective time or times of paying off or difcharging the faid exchequer bills, or any part thereof, by fuch paymafter or paymafters as aforefaid, a proportionable part of the intereft or *præmium*, payable for fuch exchequer bills fo paid off or difcharged at the rate aforefaid, fhall ceafe and determine; any thing in this or any other act or acts of parliament to the contrary in any wife notwithstanding.

XII. Provided always, and it is hereby further enacted by the authority aforefaid, That all the monies coming into the exchequer either by loans or exchequer bills, upon one act of this feflion of parliament, (intituled, *An act for granting an aid to his Majefty by a land tax, to be raifed in Great Britain within a fpace of one year, from the twenty-fifth day of March one thoufand feven hundred and fifty two*) and fo much money, if any fuch be, of the tax thereby granted, as fhall arife or remain after all the loans or exchequer bills made or to be made on the fame act, and all the intereft, *præmium*, rate and charges thereupon, and the charges thereby allowable for raifing the faid land tax fhall be fatisfied, or money fufficient fhall be referved in the exchequer to fatisfy and difcharge the fame; and alfo all the monies coming into the exchequer either by loans or exchequer bills, upon one other act of this feflion of parliament, (intituled, *An act for continuing and granting to his Majefty certain duties upon malt, mum, yder and perry, for the fervice of the year one thoufand feven hundred and fifty two*) and fo much money, if any fuch be, of the duties thereby granted as fhall arife or remain after all the loans or exchequer bills made or to be made on the fame act, and all the intereft, *præmium*, rate and charges thereon, and the charges thereby allowable for raifing the faid duties fhall be fatisfied, or money fufficient fhall be referved in the exchequer to fatisfy and difcharge the fame; and alfo the fum of one million nine hundred thoufand pounds by this act granted fhall be further appropriated, and are hereby appropriated for and towards the feveral ufes and purpofes herein after expreffed; that is to fay, It is hereby enacted and declared by the authority aforefaid, That out of all or any the aids or fupplies provided as aforefaid, there fhall and may be iffued and applied any fum or fums of money not exceeding one million feven hundred eighty two thoufand and ninety pounds eighteen fhillings and one penny, for or towards the ~~naval~~ fervices herein after more particularly expreffed; that is to fay, For or towards victuals, wages, wear and tear of the navy, and the victualling thereof, performed and to be performed, and for or towards fea fervices in the office of ordnance, performed and to be performed, for the year one thoufand feven hundred and fifty two, confifting of three hundred fifty five days; and for or towards defraying the ordinary of his Majefty's navy, and for half-pay to his officers, and for or towards the buildings, re-buildings and repairs of his Majefty's fhips for the faid year; and for or towards paying or difcharging the debt of the navy.

XIII. And it is hereby alfo enacted by the authority

viz.  
1,782,090 l.  
18 s. 1 d. for  
naval fervices.

ſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding nine thouſand fix hundred ninety nine pounds and nine ſhillings, upon account, towards the ſupport of the royal hoſpital at *Greenwich*, for the better maintenance of the ſeamen of the ſaid hoſpital, worn out and become decrepit in the ſervice of their country.

9,699l. 9s. to  
*Greenwich*  
Hoſpital.

XIV. And it is hereby alſo enacted by the authority aforeſaid, That out of all or any the aids or ſupplies aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding one hundred twenty four thouſand nine hundred and twenty pounds three ſhillings and five pence, for or towards defraying the charge of the office of ordnance for land ſervice for the year one thouſand ſeven hundred and fifty two, performed and to be performed, and for defraying the extraordinary expence of the office of ordnance for land ſervice, not provided for by parliament.

124,920l. 3s.  
5d. to the  
charge of the  
ordnance for  
land ſervice.

XV. And it is hereby alſo enacted, That out of all or any the aids or ſupplies provided as aforeſaid, there ſhall and may be iſſued and applied any ſum or ſums of money not exceeding one million forty one thouſand five hundred and fifty four pounds nineteen ſhillings and ſix pence, for and towards maintaining his Maſteſty's land forces, and other ſervices herein after more particularly expreſſed; that is to ſay, Any ſum or ſums of money not exceeding ſix hundred and eleven thouſand one hundred and one pounds ſix ſhillings and five pence halfpenny, for defraying the charges of eighteen thouſand eight hundred and fifty ſeven effective men, including commiſſion and non-commiſſion officers, and alſo one thouſand eight hundred and fifteen invalids, for guards, garrifons and other his Maſteſty's land forces in *Great Britain*, *Guernſey* and *Jerſey*, for the year one thouſand ſeven hundred and fifty two; and any ſum or ſums of money not exceeding two hundred twenty nine thouſand nine hundred and forty three pounds thirteen ſhillings and nine pence halfpenny, for maintaining his Maſteſty's forces and garrifons in the plantations, *Minorca* and *Gibraltar*, and for proviſions for the garrifons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the year one thouſand ſeven hundred and fifty two; and any ſum or ſums of money not exceeding fifty eight thouſand four hundred forty eight pounds fourteen ſhillings and ſeven pence, upon account for out-penſioners of *Chelſea* hoſpital, for the year one thouſand ſeven hundred and fifty two; and any ſum or ſums of money not exceeding ſixty thouſand pounds, upon account of the reduced officers of his Maſteſty's land forces and marines for the year one thouſand ſeven hundred and fifty two, ſubject to ſuch rules to be obſerved in the application of the ſaid half-pay, as are hereafter preſcribed concerning the ſame; and any ſum or ſums of money not exceeding four thouſand five hundred and twenty two pounds ſixteen ſhillings and ſix pence, for defraying the charge for allowances to the ſeveral officers and private gentlemen of the two troops of horſe guards, and regi-

1,041,554l.  
19s. 6d. to the  
land forces;

viz.  
611,101l. 6s.  
5d. 2q. for  
guards, &c in  
Great Britain,  
Guernſey and  
Jerſey;

229,943l. 13s.  
9d. 2q. for  
the plantati-  
ons, *Minorca*  
and *Gibraltar*,  
and for provi-  
ſions for the  
garrifons in  
*Nova Scotia*,  
*Newfoundland*,  
*Gibraltar* and  
*Providence*.

58,448l. 14s.  
7d. to out-  
penſioners of  
*Chelſea* Hoſ-  
pital;

60,000l. to re-  
duced officers;

4,522l. 16s.  
6d. to the of-  
ficers and gen-  
tlemen of the

horfe guards,  
&c. reduced;

3,125 l. 13 s.

1 d. to the  
pensions of of-  
ficers widows;

22,412 l. 15 s.

1 d. for extra-  
ordinary ex-  
pences of the  
land forces in-  
curred in  
1751.

20,000 l. to the  
Elector of Ba-  
varia;

12,000 l. to the  
King of Po-  
land.

21,042 l. 19 s.  
6 d. 2 q. to the  
settling Nova  
Scotia in 1751.

and 40,450 l.  
and 10 d. for  
the prefent  
year.

6,997 l. 8 s. 3 d.  
to the defi-  
ciency of the ad-  
ditional ftamp  
duties at  
Chriftmas  
1750.

ment of horfe reduced, and to the fuperannuated gentlemen of the four troops of horfe guards for the year one thoufand feven hundred and fifty two; and any fum or fums of money not exceeding three thoufand one hundred twenty five pounds thirteen fhillings and one penny, for paying of pensions to the widows of fuch reduced officers of his Majefty's land forces and marines as died upon the eftablifhment of half-pay in *Great Britain*, and who were married to them before the twenty fifth day of *December* one thoufand feven hundred and fixteen, for the year one thoufand feven hundred and fifty two; which faid fum of three thoufand one hundred and twenty five pounds thirteen fhillings and one penny, fhall be iffued to fuch perfon or perfons as his Majefty fhall, by warrant or warrants under his royal fign manual, direct and appoint to receive the fame, to be by him or them paid over to fuch widows of half-pay officers, or their affigns, according to fuch eftablifhments, lifts or other direc- tions, and with and fubject to fuch conditions, qualifications and other allowances for the fame as his Majefty, by fuch and the like warrant or warrants, fhall be graciously pleafed to direct and appoint; and any fum or fums of money not exceeding twenty two thoufand four hundred twelve pounds fifteen fhillings and one penny, for defraying the extraordinary expences of his Majefty's land forces and other fervices incurred in the year one thoufand feven hundred and fifty one, and not pro- vided for by parliament; and any fum or fums of money not exceeding twenty thoufand pounds, to enable his Majefty to make good his engagements with the Elector of *Bavaria*, purfu- ant to treaty; and any fum or fums of money not exceeding thirty two thoufand pounds, to enable his Majefty to make good his engagements with the King of *Poland*, Elector of *Sax- ony*, purfuant to treaty.

XVI. And it is hereby alfo enacted by the authority afore- faid, That out of all or any the aids or fupplies aforefaid, there fhall be iffued and applied any fum or fums of money not ex- ceeding twenty one thoufand and forty two pounds nineteen fhillings and fix pence halfpenny, upon account, for defraying the charges incurred by fupporting and maintaining the settle- ment of his Majefty's colony of *Nova Scotia* in the year one thou- fand feven hundred and fifty one, and not provided for by par- liament; and any fum or fums of money not exceeding forty thoufand four hundred fifty pounds and ten pence, upon ac- count, for fupporting and maintaining the fettlement of his Ma- jefty's colony of *Nova Scotia* for the year one thoufand feven hundred and fifty two.

XVII. And it is hereby alfo enacted by the authority afore- faid, That out of all or any the aids or fupplies aforefaid, there fhall and may be iffued and applied any fum or fums of money not exceeding fix thoufand nine hundred ninety feven pounds eight fhillings and three pence, to replace to the like fum the like fum paid out of the fame, to make good the deficiency of the additional ftamp duties at *Chriftmas* one thoufand feven hundred

hundred and fifty; and any sum or sums of money not exceeding five thousand four hundred thirty one pounds six shillings and four pence, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty on licences for retailing of spirituous liquors at *Lady-day* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding eleven thousand seven hundred thirty seven pounds fourteen shillings and four pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duty of twelve shillings a barrel on sweets or wines made from *British* or foreign fruit or sugar at *Michaelmas* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding twenty four thousand nine hundred and two pounds nineteen shillings and five pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the additional duties on wines at *Midsummer* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding fifty two thousand nine hundred sixty nine pounds one shilling and seven pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the duties on glass and spirituous liquors at *Midsummer* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding sixty one thousand and sixty six pounds seven shillings and ten pence halfpenny, to replace to the said sinking fund the like sum paid out of the same, to make good the deficiency of the rates and duties upon houses, windows and lights, at *Michaelmas* one thousand seven hundred and fifty one; and any sum or sums of money not exceeding fifty four thousand seven hundred fifty one pounds five shillings and five pence halfpenny, to make good the deficiency of the grants for the service of the year one thousand seven hundred and fifty one; and any sum or sums of money not exceeding seventeen thousand one hundred nineteen pounds fourteen shillings and four pence halfpenny, to make good the deficiency at *Christmas* one thousand seven hundred and fifty one, of the duties on spirituous liquors granted to his Majesty from the twenty fifth day of *March* one thousand seven hundred and forty three; and any sum or sums of money not exceeding six thousand six hundred ninety three pounds seventeen shillings and four pence, to make good the deficiency at *Christmas* one thousand seven hundred and fifty one, of the additional duty on wines; and any sum or sums of money not exceeding twenty four thousand nine hundred sixty eight pounds twelve shillings and ten pence halfpenny, to make good the deficiency at *Christmas* one thousand seven hundred and fifty one, of the duties on glass and spirituous liquors; and any sum or sums of money not exceeding ten thousand pounds, to be applied in such manner as his Majesty shall think proper, and any sum or sums of money not exceeding one thousand pounds, to enable the trustees for establishing the

5,431 l. 6s. 4d. to the deficiency of the duties on licences for retailing spirituous liquors at *Lady-day* 1751  
 11,371 l. 14s. 4d. 2 q. to the deficiency of the duties on sweets at *Michaelmas* 1751  
 24,102 l. 19s. 5d. to the deficiency on the additional duties on wines at *Midsummer* 1751  
 52,969 l. 1s. 7d. 2 q. to the deficiency of the duties on glass and spirituous liquors  
 61,066 l. 7s. 10d. 1 q. to the deficiency of the duties on houses, &c.  
 54,751 l. 5s. 5d. 2 q. to the deficiency of the grants for 1751  
 17,119 l. 14s. 4d. 2 q. to the deficiency at *Christmas* 1751, of the duties on spirituous liquors  
 6,693 l. 17s. 4d. to the additional duties on wines at *Christmas* 1751  
 24,968 l. 12s. 10d. 2 q. to the deficiency of the duties on glass and spirituous liquors  
 10,000 l. to the settlements on the coast of Africa  
 4,000 l. to the



the colony of *Georgia* in *America* to defray the expences incurred by them; and any sum or sums of money not exceeding three thousand pounds towards laying out, making and keeping in repair, a road proper for the passage of troops and carriages between the city of *Carlisle* and the town of *Newcastle upon Tyne*.

XVIII. *And whereas by an act of parliament made and passed in the sixth year of the reign of her late majesty Queen Anne, (intituled, An act for continuing one half part of the subsidies of tonnage and poundage, and other duties upon wines, goods and merchandizes imported, which were granted to the crown in the twelfth year of the reign of King Charles the Second; and for settling a fund thereby, and by other ways and means for payment of annuities, not exceeding eighty thousand pounds per annum, to be sold for raising a further supply to her Majesty for the service of the year one thousand seven hundred and eight, for other uses therein expressed) certain annuities were granted and made payable at the Exchequer out of the said duties by that act continued: and whereas in pursuance of an act made in the sixth year of the reign of his late majesty King George the First, (intituled, An act for enabling the South-Sea company to increase their present capital stock and fund, by redeeming such publick debts and incumbrances as are therein mentioned; and for raising monies to be applied for lessening several of the publick debts and incumbrances, and for calling in the present exchequer bills remaining uncanceled; and for making forth new bills in lieu thereof, to be circulated and exchanged upon demand at or near the exchequer) several of the proprietors of the annuities before mentioned did subscribe the same into the capital stock of the said South-Sea company, upon the terms in the said last recited act mentioned: by means whereof the said company are become intituled to the year's sum of thirty nine thousand one hundred forty six pounds five shillings and seven pence, for interest and charges of management upon such part of the said annuities so subscribed into their capital: and whereas the monies arisen into the exchequer of or for the rates and duties by the said first recited act granted, have proved so low and deficient, that at the feast of the birth of our Lord Christ one thousand seven hundred and fifty-one, there was due and payable to the several persons intituled to such part of the said annuities as were not subscribed to the South-Sea company, as also to the South-Sea company upon their annuity aforesaid, the sum of eighty nine thousand nine hundred twenty five pounds ten shillings and seven pence: and whereas no provision is made by the said act, or either of them, for making good such deficiency; be it therefore enacted by the authority aforesaid, That out of all or any the aids or supplies aforesaid, there shall and may be issued and applied any sum or sums of money not exceeding the sum of eighty nine thousand nine hundred twenty five pounds ten shillings and seven pence, to make good to the several proprietors of the said annuities, as also to the South-Sea company, the several sum or sums of money due to them, to satisfy their respective annuities payable by the said acts of parliament.*

liament, to or for any time before the said feast day of the birth the recited of our Lord Christ one thousand seven hundred and fifty-one. acts.

XIX. And whereas by an act of parliament made and passed in 4 Geo. 2. c. 9. the fourth year of his present Majesty's reign, (intituled, An act for raising one million two hundred thousand pounds by annuities and a lottery, in manner therein mentioned; and for appropriating the supplies granted in this session of parliament; and for making forth duplicates of exchequer bills, lottery tickets and orders lost, burnt or otherwise destroyed) it is amongst other things enacted, That it should and might be lawful to and for any person or persons, bodies politick or corporate, to contribute, advance and pay into the receipt of his Majesty's Exchequer, for his Majesty's use, at such time or times as should be appointed by the commissioners of the treasury then being, or by the high treasurer, or the commissioners of the treasury for the time being, any sum or sums of money not exceeding four hundred thousand pounds, in part of the said whole sum of one million two hundred thousand pounds, for the absolute purchase of any certain annuity or annuities, to commence from the twenty-ninth day of September one thousand seven hundred and thirty one, and to be paid and payable to such contributor or contributors, or such as he, she or they should nominate his, her or their executors, administrators, successors and assigns respectively, until redemption thereof by parliament, in manner therein after mentioned; which certain annuities were to be computed at the rate of three pounds ten shillings per annum for every one hundred pounds, and proportionably for any greater sum to be advanced and paid; and the purchase money so to be paid for every such annuity at the rate aforesaid, was thereby appointed to be paid into the said receipt at the time or times before mentioned; and the said annuities were by the said act charged upon and made payable at the respective half-yearly days of payment therein specified, out of the money arising by the additional duties on stamp vellum, parchment and paper, by the said act granted and appropriated for the payment thereof; and the sum of fourteen thousand pounds per annum is thereby directed to be issued and applied at the said receipt of exchequer, out of the said additional duties on stamp vellum, parchment and paper, to answer and pay the said annuities at the respective half-yearly days of payment therein specified; and after reserving sufficient to pay and satisfy, from time to time, such half-yearly payments as should grow due upon the said annuity of fourteen thousand pounds, that then the further yearly sum or annuity of twenty four thousand pounds should be issued and paid. And the cashier of the bank of England, out of the monies remaining in the said receipt, of the said additional duties on stamp vellum, parchment and paper, for answering and paying all and every the annuities and yearly payments, after the rate of three pounds per centum per annum, to the contributors of the same therein mentioned, in respect of the principal sum of eight hundred thousand pounds advanced by them upon the credit of the said annuities, at the respective half-yearly days of payment therein specified, until the said several and respective annuities should be redeemed by parliament, according to the proviso therein contained for that purpose; as in and by the said act, relation being thereunto had, may

Treasury  
to issue  
400,000 l. to  
be paid to the  
proprietors of  
the orders of  
loan made in  
pursuance of  
4 Geo. 2. c. 9.  
pursuant to  
the notice  
given by the  
speaker.

On payment  
of the above  
sum, the an-  
nuities to  
cease;

and the duties  
to be applied  
to pay the  
further an-  
nuity of  
24,000 l.

and the sur-  
plus to be re-  
served for the  
disposition of  
parliament.

may more fully appear: and whereas the speaker of the house of commons did, in pursuance of a resolution of the said house in the last session of parliament, give notice by writing inserted in the London Gazette, and affixed upon the Royal Exchange in London, that the said annuities will be redeemed and paid off on the tenth day of October one thousand seven hundred and fifty-two, agreeable to the power of redemption in the said act; be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners of the treasury, or any three or more of them now being, or the said high treasurer, or any three or more of the commissioners of the treasury for the time being, and they are hereby respectively authorized and required, on the said tenth day of October one thousand seven hundred and fifty-two, to cause the said sum of four hundred thousand pounds to be issued and paid at the said receipt of his Majesty's Exchequer, out of all or any the aids or supplies provided as aforesaid, unto the proprietors of the several and respective orders of loan made forth in pursuance of the before recited act of the fourth year of his present Majesty's reign, all the principal sums contained in the said orders of loan, amounting in the whole to the said sum of four hundred thousand pounds, pursuant to the notice given by the speaker of the house of commons in that behalf as aforesaid.

XX. And be it further enacted by the authority aforesaid, That from and after the paying off and discharging all the principal sums contained in the said orders of loan, amounting in the whole to the said principal sum of four hundred thousand pounds, or reserving money sufficient for that purpose, and also upon full payment of all arrears of the annuities payable in respect thereof, the said several and respective annuities shall cease, determine and be understood to be redeemed; and from and after the redemption of the said annuities, all the monies which shall from time to time arise into the said receipt of exchequer, of or for the said additional duties on stamp vellum, parchment and paper, shall from thenceforth be wholly applied to answer and pay the further annuity of twenty four thousand pounds, charged upon and made payable by the said recited act of the fourth year of his present Majesty's reign, out of the said additional duties, until redemption thereof by parliament, according to the proviso therein contained in that behalf; any thing in this or the said recited act to the contrary thereof in any wise notwithstanding.

XXI. Provided always, and be it further enacted by the authority aforesaid, That in case there shall be any surplus or remainder of the monies arising by the said additional duties at the end of any one year, after the said annuity of twenty four thousand pounds, and all arrears thereof, are satisfied, or money sufficient shall be reserved for that purpose, that then such surplus or remainder shall from time to time be reserved for the disposition of parliament, and shall not be issued but by authority of parliament, and as shall be directed by future act or acts

of parliament in that behalf; any thing in any former act or acts to the contrary thereof notwithstanding,

XXII. And be it further enacted by the authority aforesaid, That the said aids and supplies provided as aforesaid, shall not be issued or applied to any use, intent or purpose whatsoever, other than the uses and purposes before mentioned, or for the several deficiencies or other payments directed to be satisfied hereout by any act or acts, or any particular clause or clauses of that purpose contained in any other act or acts of this present session of parliament.

These aids to be applied only to the uses before-mentioned.

XXIII. And as to the said sum of sixty thousand pounds by this act appropriated on account of half-pay as aforesaid, it is hereby enacted and declared by the authority aforesaid, That the rules herein after prescribed shall be duly observed in the application of the said half-pay; that is to say, That no person shall have or receive any part of the same who was a minor, and under the age of sixteen years, at the time when the regiment, troop or company in which he served was reduced; that no person shall have or receive any part of the same, except such persons who did actual service in some regiment, troop or company; that no person having any other place or employment of profit civil or military under his Majesty, shall have or receive any part of the said half-pay; that no chaplain of any garrison or regiment who has any ecclesiastical benefice in *Great Britain or Ireland*, shall have or receive any part of the said half pay; that no person shall have or receive any part of the same, who has resigned his commission and has had no commission since; that no part of the same shall be allowed to any person by virtue of any warrant or appointment, except to such persons who would have been otherwise intitled to the same as reduced officers; and that no part of the same shall be allowed to any of the officers of the five regiments of dragoons, and eight regiments of foot, lately disbanded in *Ireland*, except to such as were lately taken off the establishment of half-pay in *Great Britain*.

Rules to be observed in the application of the 60,000 l. appropriated to the reduced officers.

XXIV. And whereas by an act of parliament made and passed in the twenty fourth year of his Majesty's reign, (intituled An act for granting to his Majesty the sum of six hundred thousand pounds out of the sinking fund for the service of the year one thousand seven hundred and fifty one; and for allowances to the poor widows of commission and warrant officers of the royal navy; and for the further appropriating the supplies granted this session of parliament, and for making forth duplicates of exchequer bills, lottery tickets, certificates, orders of loan or annuity orders, payable at the exchequer, in lieu of such as shall be lost, burnt or destroyed; and also for making forth new orders of loan or annuity orders, in lieu of such as shall become defaced, obliterated or otherwise incumbered with assignments or indorsements) several supplies which had been granted to his Majesty, as aforesaid, were appropriated to several uses and purposes therein expressed; amongst which any sum or sums of money not exceeding sixty four thousand pounds, was appropriated to be paid

24 Geo. 2.  
c. 47.

Overplus of  
last year's  
half pay to be  
applied to  
such objects of  
charity as his  
Majesty shall  
direct.

to the reduced officers of his Majesty's land forces and marines, subject nevertheless to such rules to be observed in the application of the said half-pay, as in and by the aforesaid act were prescribed in that behalf; now it is hereby provided, enacted and declared by the authority aforesaid, That so much of the said sum of sixty four thousand pounds, as is or shall be more than sufficient to satisfy the said reduced officers, according to the rules prescribed by the said act to be observed in the application thereof, or any part of such overplus, shall and may be disposed of to such officers who are maimed, or lost their limbs in the late wars; or such others as by reason of their long service, or otherwise, his Majesty shall judge to be proper objects of charity, or to the widows or children of such officers, according to such warrant or warrants, under his Majesty's royal sign manual, as shall be signed in that behalf; any thing in this act, or the said former act, to the contrary notwithstanding.

## C A P. XXVI.

*An act to restrain the making insurances on foreign ships bound to or from the East Indies.*

Geo. I. c. 26.

WHEREAS by an act passed in the ninth year of the reign of his late majesty King George the First, intituled, An act to prevent his Majesty's subjects from subscribing or being concerned in encouraging or promoting any subscription for an East-India company in the Austrian Netherlands; and for the better securing the lawful trade of his Majesty's subjects to and from the East Indies; all his Majesty's subjects are restrained and prohibited from subscribing, contributing to, encouraging or promoting the raising, establishing or carrying on any foreign company erected for trading to the East Indies, from and after the twenty fourth day of June one thousand seven hundred and twenty three, in order the more effectually to secure by the provisions of the said act, as well as by several other laws now in force, the sole trade to and from the East Indies, and other places beyond the cape of Good Hope, to the united company of merchants of England trading to the East Indies, that thereby the British nation might enjoy the full fruits and advantages of so beneficial a trade: and whereas insuring the ships and vessels of foreigners trading to the East Indies, or the lending money on Bottomree or Respondentia of or upon any such foreign ships or vessels, may be a means of encouraging his Majesty's subjects to share with foreigners in the establishing or erecting of new companies, societies or corporations for carrying on the said trade in the dominions of foreign states or prin.as, whose subjects have never before adventured to carry it on; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the first day of May one thousand seven hundred and fifty two, all and every person or persons, bodies politick or corporate, being subjects of his Majesty in Great Britain or Ireland, or elsewhere,

No insurances  
to be made on  
money to be  
lent on bot-  
tomree or re-  
spondentia

and all other persons whatsoever residing within *Great Britain* or *Ireland*, shall be restrained and prohibited by virtue of this act, from granting, signing or under-writing any policy or policies of assurance, or leading any money on *Bottomree* or *Respondentia*, of or upon any foreign ship or ships trading or sailing, or to trade or sail to or from the *East Indies*, and other places beyond the cape of *Good Hope*, within the limits of trade granted to the united company of merchants of *England* trading to the *East Indies*; or to or from any ports or places within the said limits; or of or upon any goods, merchandizes or effects, laden or to be laden on board any such ship or ships, the said ships or goods not belonging to any companies, societies or corporations which were established or erected, or which had carried on such trade; or by any person or persons who had carried on such trade by virtue of any charter, licence or authority from their respective Sovereigns, on or before the seventh day of *October* one thousand seven hundred and forty eight; and all contracts, bargains and agreements by which any *Premium*, or consideration in the nature of a *Premium*, shall be taken for such policy or policies, upon any such ship or ships, or upon any goods, merchandizes or effects laden or to be laden thereon; and every other contract, wager, or agreement in the nature of a wager, concerning the event of the said voyage of such foreign ship or ships; and all bonds for any sum or sums of money lent, or agreed to be lent or advanced, by way of *Bottomree* or *Respondentia* on the same, contrary to the true intent and meaning of this act, shall be void.

II. And be it further enacted by the authority aforesaid, That all and every person and persons, bodies politick or corporate whatsoever, being the King's subjects, in *Great Britain* or *Ireland*, or elsewhere, and all other persons whatsoever residing within *Great Britain* or *Ireland*, who, from and after the said first day of *May* one thousand seven hundred and fifty two, shall by themselves or agents enter into or execute any such contract, bargain or agreement, or lend any money upon *Bottomree* or *Respondentia Bonds* as aforesaid, contrary to the true intent and meaning of this act, shall forfeit and pay treble the sum insured or lent upon *Bottomree* or *Respondentia* as aforesaid; and also all factors, brokers, agents, office-keepers, scriveners or other persons who shall prepare, write or negotiate any such contract, bargain, agreement or bond as aforesaid, shall forfeit and pay treble the sum insured or lent upon *Bottomree* or *Respondentia* as aforesaid; which said penalties shall and may be recovered by action of debt, bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of session in *Scotland*, or in any of his Majesty's courts of record at the four courts in *Dublin* respectively; in which action or suit no essoin, protection, privilege or wager of law, or more than one imparlance shall be allowed; one moiety of the said penalties to be to the use of his Majesty, his heirs and successors, and the other moiety

moiety thereof to the use of him, her or them who shall sue for the same.

Not to extend to the ships or goods of the subjects of such Sovereigns, who traded there before 7 Oct. 1748.

III. Provided, That this act shall not extend to the prohibiting insurances on such ships, goods or interests as shall belong to the subjects of such Sovereigns, who before the said seventh day of October one thousand seven hundred and forty eight, have granted charters, licences or authorities to trade within the said limits, and whose subjects were, at the said seventh day of October, actual traders within the said limits, and by virtue of such charters, licences or authorities.

This act to be in force for 7 years.

IV. Provided also, That this act shall continue in force for seven years, and to the end of the then next session of parliament, and no longer.

### CAP. XXVII.

*An act for converting the several annuities therein mentioned into several joint stocks of annuities, transferrable at the bank of England, to be charged on the sinking fund; and also for consolidating the several other annuities therein mentioned, into several joint stocks of annuities, transferrable at the South-Sea house.*

4 Geo. 2. c. 9.

WHEREAS in pursuance of an act of parliament made and passed in the fourth year of his Majesty's reign (for raising one million two hundred thousand pounds by annuities and a lottery, and for other purposes therein mentioned) several persons, bodies politick or corporate, did advance and lend the sum of eight hundred thousand pounds, part of the said sum of one million two hundred thousand pounds, upon the credit of the additional duties on stamp vellum, parchment and paper, by the said act granted and continued, for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas in pursuance of another act of parliament made and passed in the fifteenth year of his Majesty's reign (for granting to his Majesty the sum of eight hundred thousand pounds, to be raised by annuities transferrable at the bank of England; and for other purposes therein mentioned) several persons, bodies politick or corporate, did advance and lend the said sum of eight hundred thousand pounds upon the credit of the surplusses, excesses or overplus monies, commonly called The Sinking Fund, by the said act granted and appropriated in that behalf for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas in pursuance of another act of parliament made and passed in the sixteenth year of his Majesty's reign (for raising by annuities and a lottery, in manner therein mentioned, the sum of one million eight hundred thousand pounds at three pounds per centum per annum, for the service of the year one thousand seven hundred and forty three) several persons, bodies politick or corporate, did advance and lend the said sum of one million eight hundred thousand pounds upon the credit of the rates and duties on low wines, spirits and strong waters, granted to his Majesty by one other act of the same session of parliament.

15 Geo. 2. c. 19.

16 Geo. 2. c. 13.

ment, for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas by one other act of parliament made and passed in the seventeenth year of his Majesty's reign (for raising by annuities and a lottery, in the manner therein mentioned, the sum of one million eight hundred thousand pounds at three pounds per centum per annum, for the service of the year one thousand seven hundred ~~forty~~ four) several persons, bodies politick or corporate, did advance and lend the said sum of one million eight hundred thousand pounds upon the credit of the surplus or remainder of the monies to be paid into the receipt of exchequer, of or for the rates and duties on various liquors, granted by the last-recited act of the sixteenth year of his Majesty's reign (after satisfying the annuity payable to the East-India company out of the said duties) for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament: and whereas by one other act of parliament made and passed in the eighteenth year of his Majesty's reign (for granting to his Majesty several additional duties upon all wines imported, and for raising a certain sum of money by annuities and a lottery, in manner therein mentioned, to be charged on the said additional duties) several persons, bodies politick or corporate, did advance and lend the sum of two millions upon the credit of the said additional duties, for the purchase of annuities after the rate of three pounds per centum, transferrable at the bank of England, and redeemable by parliament; and the said additional duties were also charged with the payment of certain annuities for lives at the said receipt of exchequer, in the manner in the said act directed: and whereas in pursuance of one other act of parliament made and passed in the twenty third year of his Majesty's reign (for granting to his Majesty the sum of one million, to be raised by annuities at three pounds per centum per annum, and charged on the sinking fund, transferrable at the bank of England) several persons, bodies politick or corporate, did advance and lend the said sum of one million upon the credit of the said sinking fund, for the purchase of annuities after the rate of three pounds per centum per annum, transferrable at the bank of England, and redeemable by parliament: and whereas the said several principal sums before-mentioned, for which the said several and respective annuities now carrying an interest of three pounds per centum per annum, transferrable at the bank as aforesaid, are payable, do amount in the whole to the sum of eight millions two hundred thousand pounds; and it is thought necessary; that the said principal sum be (with the consent of the proprietors thereof, to be signified within the time herein after-mentioned) converted into one joint stock of annuities; and that the interest or annuities shall be paid out of the produce of the sinking fund, until redemption thereof by parliament, in manner herein after-mentioned; and that the several duties and revenues which were then and granted for payment of the said annuities, and on which the same were charged, shall be carried into and made part of the said sinking fund: now we your Majesty's most dutiful and loyal subjects the commons of Great Britain in parliament assembled, being of opinion that it will be of advantage to the



publick, and also a great convenience to the proprietors of the said annuities, if the same were consolidated into one joint stock of annuities as aforesaid; and being desirous to provide for the punctual payment of the said annuities, and to prevent any deficiencies or delay of payment thereupon, do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That after the twenty fourth day of *June* one thousand seven hundred and fifty two, and before the fifth day of *January* one thousand seven hundred and fifty three, the several sums afore-mentioned, amounting to eight millions *one* hundred thousand pounds, carrying an interest after the rate of three pounds *per centum per annum*, payable in pursuance of the before-recited acts of parliament in that behalf, shall (with the consent aforesaid) be converted into one joint stock of annuities transferrable at the bank of *England*, in the same manner and form as the said several and respective annuities are now transferred, until redemption thereof by parliament, in manner here in after-mentioned; any thing in the said recited acts to the contrary thereof in any wise notwithstanding.

The afore-mentioned sums, amounting to 8,200,000 l. and carrying 3 l. *per cent.* interest, to be converted into one joint stock of annuities, transferrable at the bank.

Subscribers empowered to transfer.

II. And be it enacted, That all and every person and persons bodies politick or corporate, who shall subscribe or signify their consent to the making their said annuities part of the said joint stock of annuities, as aforesaid, shall be immediately intitled to the privilege of transferring such annuities as part of the said joint stock, from the said twenty fourth day of *June* one thousand seven hundred and fifty two, as aforesaid.

The annuities to be paid unto 24 *June* 1752, out of the funds appropriated;

III. And be it enacted by the authority aforesaid, That all and every the said several and respective annuities transferrable at the bank of *England* as aforesaid, shall be paid unto the said twenty fourth day of *June* one thousand seven hundred and fifty two, out of the same rates, duties and impositions, as the said several and respective annuities are now paid and payable, together with other charges payable out of the same: but in case the monies arising into the receipt of the exchequer, shall not be sufficient to answer and pay the said several and respective annuities and other charges, at the time appointed for payment thereof, that then and in such case it shall and may be lawful to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being to cause so much money to be issued out of the said sinking fund as shall be sufficient to answer and pay the said several and respective annuities as shall become due and payable, until the said twenty fourth day of *June* one thousand seven hundred and fifty two, and all the said other charges attending the same.

but if they be deficient out of the sinking fund;

thenceforth they are to be charged on

IV. And be it further enacted by the authority aforesaid That from and after the said twenty fourth day of *June* one thousand seven hundred and fifty two, all the said several and respective

spective principal sums transferrable at the bank of *England* as the sinking fund; aforesaid, amounting in the whole to the sum of eight millions two hundred thousand pounds, as also such sum or sums of money as shall or may be made payable to the governor and company of the bank of *England*, for the charges of management, shall be, and are hereby charged and chargeable upon the said sinking fund, and shall be issued and paid half-yearly on the fifth day of *January*, and the fifth day of *July*, in every year, and to be paid half-yearly; out of the surplus funds, and other duties and revenues composing the said sinking fund, and shall be deemed and taken to be charges and incumbrances thereupon, until redemption thereof by parliament; subject nevertheless to such charges and incumbrances as are already made thereupon by parliament: and the commissioners of the treasury, or any three or more of them now being, or the high treasurer or commissioners of the treasury of his Majesty, his heirs or successors for the time being, without any further or other warrant to be sued for, had or obtained in that behalf, shall and may, from time to time, issue the same at the respective half-yearly or other days of payment, whereon the same shall become due and payable at the said receipt of exchequer, to the first or chief cashier or cashiers of the governor and company of the bank of *England*, and their successors for the time being, by way of imprest and upon account, for the purposes above-mentioned; and that all and every such cashier or cashiers, to whom the said money shall, from time to time be issued, shall without delay, apply and pay the same accordingly, and render his account thereof according to the due course of the exchequer; any thing herein before contained to the contrary notwithstanding.

V. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June* one thousand seven hundred and fifty two, all the said rates, duties, impositions or revenues, granted and appropriated by the said several and respective acts herein before recited, for payment of the said several and respective annuities transferrable at the bank of *England*, as aforesaid, shall be carried to, and made part of the said sinking fund (after reserving sufficient to pay the annuities for lives at the exchequer, and other charges and incumbrances charged on the said duties and revenues) and the same shall be deemed and taken to be part of the said sinking fund, and shall be issued and applied to such uses and purposes, as all and every other the surplus funds, duties and revenues, composing the said sinking fund, are or may be issued and applied; any thing in any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

VI. And whereas by and in pursuance of two several acts of parliament, made and passed in the ninth and eleventh years of his Majesty's reign, certain annuities, after the rate of three pounds per centum per annum, were created and made payable at the said receipt of exchequer, out of the sinking fund, amounting to the principal sum of nine hundred thousand pounds, for which tallies and orders were

The funds which were appropriated to the annuities, made part of the sinking fund.

Proprietors of the 31 per cent. annuities, grant

by acts 9 & 11  
Geo. 2. may  
subscribe into  
the joint stock.

made out at the said receipt, and as the proprietors of the said tallies and orders may be desirous to subscribe the same into the said joint stock of annuities, after the rate of three pounds per centum per annum; be it therefore enacted by the authority aforesaid, That the said proprietors may, at any time between the said twenty fourth day of June one thousand seven hundred and fifty two, and the said fifth day of January one thousand seven hundred and fifty three, subscribe the same into the said joint stock of annuities accordingly.

8 Geo. 2. c. 12.

The proprie-  
tors of the 3l.  
per cent. an-  
nuities grant-  
ed by 8 Geo. 1.  
in lieu of de-  
bentures to  
the sufferers of  
Nevis and St.  
Christopher's,  
may subscribe.

The subscrib-  
ers may im-  
mediately  
transfer,

the orders to  
be paid quar-  
terly to Mid-  
summer 1752.

Bank to pro-  
vide books for  
the subscrip-  
tions,

to be open  
from 24 June

VII. And whereas by and in pursuance of one other act made and passed in the eighth year of his Majesty's reign, certain orders for annuities after the rate of three pounds per centum per annum, were made forth at the said receipt of exchequer, payable out of the general fund, in lieu of debentures made forth to the sufferers of Nevis and Saint Christophers, to the amount of one hundred forty one thousand ninety three pounds fifteen shillings and one penny farthing; whereof there now remains the sum of thirty seven thousand eight hundred twenty one pounds five shillings and one penny farthing; be it therefore enacted by the authority aforesaid, That the proprietors of the said orders may, at any time between the said twenty fourth day of June one thousand seven hundred and fifty two, and the said fifth day of January one thousand seven hundred and fifty three, subscribe the said annuity orders into the said joint stock of annuities after the rate of three pounds per centum per annum, as aforesaid.

VIII. And be it enacted, That all and every person or persons, bodies politick or corporate, who shall subscribe their said orders into the joint stock of annuities aforesaid, shall be immediately intitled to the privilege of transferring such annuities, as part of the said joint stock of annuities, from the said twenty fourth day of June one thousand seven hundred and fifty two, as aforesaid.

IX. And be it further enacted, That such of the said orders that shall be so subscribed, which are now made payable half-yearly at Michaelmas and Lady-day, shall be paid by the quarter, to grow due from Lady-day one thousand seven hundred and fifty two to Midsummer following; any thing in any former act to the contrary thereof in any wise notwithstanding.

X. And be it further enacted by the authority aforesaid, That the governor and company of the bank of England shall, and they are hereby required to cause such books to be prepared as shall be necessary for receiving the subscription or consent of such of the proprietors of the several and respective annuities, after the rate of three pounds per centum per annum, transferrable at their office, and also of the proprietors of the several annuities, tallies and orders payable at the exchequer out of the sinking fund, as also of the several proprietors of the annuities and orders payable at the exchequer out of the general fund, shall subscribe the same into the joint stock of annuities before mentioned, which books shall be constantly kept open at the bank of England for that purpose every day, Sundays and

days only excepted, from the ſaid twenty fourth day of *June* <sup>1752, to 25</sup> one thouſand ſeven hundred and fifty two, to the ſaid fifth day of *Jan.* <sup>1753.</sup> *January* one thouſand ſeven hundred and fifty three incluſive, and no longer; ſubject nevertheless to ſuch further directions, except the with reſpect to the taking in or receiving ſuch ſubſcriptions or <sup>treafury ſhall</sup> conſent from the proprietors of the ſaid annuities, after the ſaid <sup>allow further</sup> rate of three pounds *per centum per annum*, as ſhall or may be given by the commiſſioners, of the treafury, or any three or more of them now being, or by the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, for the benefit and advantage of the publick; and it ſhall and <sup>The proprie-</sup> may be lawful to and for the proprietors of the ſaid ſeveral and <sup>tors may ſub-</sup> reſpective annuities, their reſpective attornies, representatives or <sup>ſcribe</sup> aſſigns, or ſuch perſon or perſons as he, ſhe or they ſhall reſpectively authorize and impower by writing in that behalf, to ſubſcribe for them; and all perſons impowered to receive any intereſt or dividend that ſhall become due on the ſaid annuities ſhall, and they have hereby power to make the ſubſcriptions, and give conſent in the ſaid reſpective books accordingly, without any fee or charge, at any time between the ſaid twenty fourth day of *June* one thouſand ſeven hundred and fifty two, and the ſaid fifth day of *January* one thouſand ſeven hundred and fifty three; and the ſeveral officers of the ſaid governor and company who ſhall be appointed to take in the ſaid ſubſcriptions, or <sup>Officers to at-</sup> receive ſuch conſents, ſhall during the time aforeſaid conſtantly <sup>tend.</sup> attend at the ſaid office for that purpoſe at ſuch hours as buſineſs is uſually tranſacted there.

XI. *And whereas in purſuance of an act of parliament made and paſſed in the nineteenth year of his Maſeſty's reign for granting to his Maſeſty ſeveral rates and duties upon glaſs, and ſpirituous liquors, and for other purpoſes therein mentioned, ſeveral perſons, bodies politick or corporate, did advance and lend upon the credit of the ſaid rates and duties the principal ſum of three millions, for the purchaſe of annuities transferrable at the bank of England, and redeemable by parliament; and the ſaid rates and duties were alſo charged with the payment of certain annuities for lives, payable at the receipt of the exchequer, in the manner by the ſaid act directed; which ſaid ſum of three millions is now reduced to the principal ſum of two millions eight hundred twenty four thouſand four hundred twenty eight pounds thirteen ſhillings and eleven pence, attended with annuities after the rate of three pounds ten ſhillings per centum, purſuant to certain acts of parliament in that behalf: and whereas by another act* <sup>19 Geo. 2. c. 12.</sup> *of parliament made and paſſed in the twentieth year of his Maſeſty's reign, for repealing the ſeveral rates and duties upon houſes, windows and lights, and for granting to his Maſeſty other rates and duties upon houſes, windows or lights, and for other purpoſes therein mentioned, ſeveral perſons, bodies politick or corporate, did advance and lend upon the credit of the ſaid duties the principal ſum of four millions for the purchaſe of annuities, transferrable at the bank of England, upon which (for the encouragement of perſons who ſhould advance and lend the ſame) there was an allowance of ten pounds per centum,* <sup>20 Geo. 2. c. 3.</sup>

- so that the capital sum amounted to the sum of four millions four hundred thousand pounds redeemable by parliament; which said sum of four millions four hundred thousand pounds is now reduced to the principal sum of four millions one hundred eighty nine thousand three hundred sixty five pounds and five shillings, attended with annuities after the rate of three pounds ten shillings per centum, pursuant to certain acts of parliament in that behalf; and the said rates and annuities were likewise appropriated for the payment of the yearly sum of ninety one thousand four hundred eighty five pounds and six pence three farthings to the aggregate fund: and whereas by one other act of parliament made and passed in the twentieth year of his Majesty's reign, for granting several rates and duties upon coaches and other carriages, and for other purposes therein mentioned, several persons, bodies politick or corporate, did advance and lend upon the credit of the said rates and duties the principal sum of one million, for the purchase of annuities, transferrable at the bank of England, and redeemable by parliament; which said sum of one million is now reduced to the principal sum of nine hundred twenty nine thousand two hundred seventy six pounds ten shillings and six pence, attended with annuities after the rate of three pounds ten shillings per centum,
- 80 Geo. 2. c. 10. pursuant to certain acts of parliament in that behalf: and whereas by an act of parliament made and passed in the twenty first year of his Majesty's reign, for granting to his Majesty a subsidy of poundage upon all goods and merchandizes imported, and for other purposes therein mentioned, several persons, bodies politick or corporate, did advance and lend upon the credit of the said subsidy the principal sum of six millions three hundred thousand pounds, for the purchase of annuities, transferrable at the bank of England; and for the encouragement of all persons who should advance and lend the same, there was an advance of six hundred and thirty thousand pounds, being ten pounds per centum on the said sum contributed, so that the whole capital sum amounted to the sum of six millions nine hundred and thirty thousand pounds, redeemable by parliament; which said sum of six millions nine hundred and thirty thousand pounds, is now reduced to the principal sum of six millions six hundred sixty thousand and six pounds eighteen shillings and three pence, attended with annuities after the rate of three pounds ten shillings per centum, pursuant to certain acts of parliament in that behalf: and whereas by an act of
- 21 Geo. 2. c. 2. parliament made and passed in the twenty second year of his Majesty's reign, for charging the sinking fund with the payment of annuities in discharge of navy, victualling and transport bills, and ordnance debentures to the amount therein mentioned, certain persons, bodies politick and corporate, who were possessed of such bills and debentures, did subscribe the same at the bank of England, to the amount of three millions seventy two thousand four hundred seventy two pounds and ten pence, for annuities transferrable there, charged upon the said sinking fund, redeemable by parliament; which said sum of three millions seventy two thousand four hundred seventy two pounds and ten pence, is now reduced to the principal sum of two millions nine hundred sixty eight thousand four hundred ninety six pounds eight shillings and eight pence, attended with annuities after the rate of three per
- 22 Geo. 2. c. 23.

ten shillings per centum, pursuant to certain acts of parliament in that behalf: and whereas the principal sums before-mentioned, now *The aforefaid* carrying an interest of three pounds ten shillings per centum per *sums amount-* annum, transferrable at the bank of England as aforefaid, do amount in the whole to the sum of seventeen millions five hundred seventy one thousand five hundred seventy three pounds sixteen shillings and four pence; whereof the sum of fourteen millions eight hundred *ing to* fifty seven thousand nine hundred fifty five pounds eighteen shillings *17,571,573 l.* and four pence was first subscribed, in pursuance of an act of parliament of the twenty third year of his Majesty's reign, for an annuity of three pounds ten shillings per centum, until the twenty fifth day of December one thousand seven hundred and fifty seven, which *16s. 4d.* will be the fifth day of January one thousand seven hundred and fifty eight; and from and after the said twenty fifth day of December one thousand seven hundred and fifty seven, for annuities at three pounds per centum; and the residue thereof, amounting to the sum *whereof* of two millions seven hundred thirteen thousand six hundred and *14,857,955 l.* seventeen pounds eighteen shillings, was last subscribed, in pursuance *18s. 4d. was* of another act of the same session of parliament, for an annuity of three *first subscribed* pounds ten shillings per centum, until the twenty fifth day of December one thousand seven hundred and fifty five, which will be the *in pursuance* fifth day of January one thousand seven hundred and fifty six; and *of 23 Geo. 2.* from and after the twenty fifth day of December one thousand seven *c. 1.* hundred and fifty five, for annuities of three pounds per centum: and whereas it is likewise thought necessary that the several principal sums transferrable at the bank of England as aforefaid, amounting to the sum of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence, shall, with the consent of the proprietors thereof, (to be signified within the time herein after-mentioned) be converted into one joint stock of annuities, the interest or annuity to be charged and chargeable upon the sinking fund; and that the said several principal sums as aforefaid, amounting to the sum of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings, be, with the consent of the proprietors thereof, (to be signified as aforefaid) converted into one other joint stock of annuities, the interest or annuity to be charged and chargeable upon the said sinking fund; and that from and after the fifth day of April one thousand seven hundred and fifty eight, the said intended joint stock of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence, together with the said intended joint stock of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings, or so much thereof as shall be then unsatisfied, shall be one joint stock of annuities, and that the several duties and revenues which were given and granted for payment of the said annuities, and on which the same were charged, shall be carried into and made part of the said sinking fund; be it therefore further enacted by the authority aforefaid, That after the tenth day of October one thousand seven hundred and fifty two, and before the fifth day of April one thousand seven hundred and fifty three, the said several annuities, amounting to fourteen millions eight hundred fifty seven *and* thousand *2,713,617 l.* *18s. the resi-* *due last sub-* *scribed,* *may be con-* *solidated into* *one joint* *stock, trans-* *ferrable at the* *bank.*

thouſand nine hundred fifty five pounds eighteen ſhillings and four pence, may be consolidated and made one joint ſtock of annuities, transferrable at the bank of *England*; and that the ſaid ſeveral annuities, amounting to two millions ſeven hundred thirteen thouſand ſix hundred ſeventeen pounds eighteen ſhillings, may after the ſaid tenth day of *October* one thouſand ſeven hundred and fifty two, and before the ſaid fifth day of *April* one thouſand ſeven hundred and fifty three, be consolidated and made one other joint ſtock of annuities, transferrable at the bank of *England*, in the ſame manner as the ſaid ſeveral and reſpective annuities are now transferrable until redemption thereof by parliament in manner herein after-mentioned; any thing in the ſaid acts to the contrary thereof in any wiſe notwithstanding.

Subſcribers  
may immedi-  
ately transfer  
the annuities;

XII. And be it enacted, That all and every perſon and perſons, bodies politick or corporate, who ſhall ſubſcribe or ſignify their conſent to the making their ſaid annuities part of either of the ſaid joint ſtocks of annuities as aforeſaid, ſhall be immediately intitled to the privilege of transferring ſuch annuities as part of the ſaid joint ſtock, from the ſaid tenth day of *October*, one thouſand ſeven hundred and fifty two, as aforeſaid

which are to  
be paid out of  
the funds ap-  
propriated  
thereto unto  
10 October  
1752;

XIII. And be it enacted by the authority aforeſaid, That all and every the ſaid ſeveral and reſpective annuities, transferrable at the bank of *England* as aforeſaid, ſhall be paid unto the ſaid tenth day of *October* one thouſand ſeven hundred and fifty two, out of the ſame rates, duties and impoſitions, as the ſaid ſeveral and reſpective annuities are now paid and payable, together with other charges payable out of the ſame; that is to ſay, ſuch of the ſaid annuities as are made payable half-yearly at *Lady-day* and *Michaelmas*, ſhall be paid for the half-year to grow due on the ſaid tenth day of *October* one thouſand ſeven hundred and fifty two; and ſuch of the ſaid annuities as are made payable half-yearly at *Chriſtmas* and *Midſummer* ſhall be paid for the quarter to grow due from *Midſummer* one thouſand ſeven hundred and fifty two, to the ſaid tenth day of *October* following; any thing in any former act to the contrary thereof in any wiſe notwithstanding. but in caſe the ſaid monies ariſing in the ſaid receipt of the *exchequer* ſhall not be ſufficient to answer and pay the ſaid ſeveral and reſpective annuities, and other charges, at the days appointed for payment thereof reſpectively, that then and in ſuch caſe it ſhall and may be lawful to and for the commiſſioners of the treaſury, or any three or more of them now being, or the high treaſurer, or any three or more of the commiſſioners of the treaſury for the time being, to cauſe ſo much money to be iſſued out of the ſaid ſinking fund as ſhall be ſufficient to answer and pay the ſaid ſeveral and reſpective annuities as ſhall become due and payable until the ſaid tenth day of *October* one thouſand ſeven hundred and fifty two, and all other charges attending the ſame.

and if they  
are deficient,  
then out of  
the ſinking  
fund;

after which  
they are  
charged on the  
ſinking fund,

XIV. And be it further enacted by the authority aforeſaid That from and after the ſaid tenth day of *October* one thouſand ſeven hundred and fifty two, all the ſaid ſeveral and reſpective annuities

annuities, transferrable at the bank of *England*, amounting in the whole to the ſum of ſeventeen millions five hundred ſeventy one thouſand five hundred ſeventy three pounds ſixteen ſhillings and four pence, as alſo ſuch ſum or ſums of money as ſhall or may be made payable to the governor and company of the bank of *England* for the charges of management of the ſaid annuities, ſhall be and they are hereby charged and chargeable upon the ſaid ſinking fund, and ſhall be iſſued and paid half-yearly, on the fifth day of *April* and the tenth day of *October* in every year, out of the ſurplus funds, and other duties and revenues compoſing the ſaid ſinking fund, and ſhall be deemed and taken to be charges and incumbrances thereupon, until redemption thereof by parliament; ſubject nevertheless to ſuch charges and incumbrances as are already made thereupon by parliament: and the commiſſioners of the treasury, or any three or more of them now being, or the high treaſurer, or commiſſioners of the treasury of his Maſteſty, his heirs or ſucceſſors for the time being, without any further or other warrant to be ſued for, had or obtained in that behalf, ſhall and may, from time to time, iſſue the ſame at the reſpective half-yearly or other days of payment, whereon the ſame ſhall become due or payable, at the ſaid receipt of exchequer, to the firſt or chief caſhier or caſhiers of the governor and company of the bank of *England*, and their ſucceſſors for the time being, by way of impreſt, and upon account, for the purpoſes afore-mentioned; and that all and every ſuch caſhier or caſhiers to whom the ſaid monies ſhall be iſſued, ſhall from time to time, without delay, apply and pay the ſame accordingly, and render his account thereof, according to the due courſe of the exchequer; any thing herein before contained to the contrary notwithstanding.

and to be paid  
half-yearly.

and money to  
be iſſued to  
the chief  
caſhier of the  
bank, by way  
of impreſt.

XV. And be it further enacted by the authority aforeſaid, That all and every the clauſes and proviſoes relating to the annuities afore-mentioned, which were made payable or transferrable at the bank of *England*, ſhall remain in full force with reſpect to the annuities continued or eſtabliſhed by this act, in all matters and things whatſoever, where the ſame ſhall not have been altered by this act, or other proviſions made in reſpect thereof.

Proviſoes re-  
lating to the  
ſaid annuities  
to remain in  
force.

XVI. And be it further enacted by the authority aforeſaid, That from and after the ſaid tenth day of *October* one thouſand ſeven hundred and fifty two, all the ſaid rates, duties, impoſitions or revenues granted and appropriated by the ſaid ſeveral and reſpective acts herein before recited for payment of the ſaid ſeveral and reſpective annuities, transferrable at the bank of *England* as aforeſaid, ſhall be carried to and made part of the ſaid ſinking fund (after reſerving ſufficient to pay the annuities due at the exchequer, and other charges and incumbrances due upon the ſaid duties and revenues;) and the ſame ſhall be deemed and taken to be part of the ſaid ſinking fund, and ſhall be iſſued and applied to ſuch uſes and purpoſes as all and every ſuch duties and revenues compoſing the ſaid ſinking fund,

The funds ap-  
propriated to  
the annuities  
to be carried  
into the ſink-  
ing fund.

are



are or may be issued and applied; any thing in any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

The proprietors of exchequer orders payable out of the duties on plate, allowed the same,  
6 Geo. I. c. 11.

XVII. *And whereas by an act of parliament made and passed in the sixth year of his late Majesty's reign, certain annuities were created at the exchequer payable out of the duties on wrought plate, to the amount of three hundred and twelve thousand pounds, whereof there is now remaining the sum of one hundred and twenty nine thousand seven hundred and fifty pounds;* be it further enacted by the authority aforesaid, That all and every the proprietors of tallies and orders for the said annuities, which were subscribed pursuant to the two acts of parliament before recited, shall, from and after the said tenth day of *October* one thousand seven hundred and fifty two, until the said fifth day of *April* one thousand seven hundred and fifty three, have liberty to subscribe their said tallies and orders at the bank of *England*, into the several joint stocks of annuities; that is to say, such of the said annuities as were first subscribed pursuant to the said act of the twenty third year of his Majesty's reign, shall be added to the said joint stock of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence; and such of the said annuities as were subscribed pursuant to another act of the same session of parliament, shall be added to the said joint stock of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings; and the said joint stocks of annuities respectively, shall have an additional annuity for such sum or sums of the said plate annuities as shall be so subscribed into the said joint stocks respectively, from the said tenth day of *October* one thousand seven hundred and fifty two, payable out of the said surplus funds, and any of the duties and revenues composing the said sinking fund.

Power to transfer immediately.

XVIII. And be it enacted, That all and every person or persons, bodies politick or corporate, who shall subscribe their said orders into either of the joint stocks of annuities aforesaid, shall be immediately intitled to the privilege of transferring such annuities as part of such joint stock of annuities, from the said tenth day of *October* one thousand seven hundred and fifty two as aforesaid.

The duties to be carried into the sinking fund.

XIX. And be it further enacted by the authority aforesaid, That the said duty on wrought plate, provided all the said annuities charged thereupon shall be so subscribed, or the surplus thereof, in case all the said annuities shall not be subscribed, shall be transferred unto and made part of the said sinking fund; any thing in any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

The said annuities to be one joint stock transferable at the bank.

XX. And be it further enacted by the authority aforesaid, That from and after the said fifth day of *April* one thousand seven hundred and fifty eight, the said joint stock of the first subscribed bank annuities, after the rate of three pounds ten shillings *per centum per annum*; as also such of the said plate annuities as shall be subscribed thereunto, with so much of the said second

second subscribed bank annuities, after the said rate of three pounds ten shillings *per centum per annum*; as also such of the said plate annuities as shall be subscribed thereunto as aforesaid, and shall then remain unsatisfied and not paid off, shall be made one joint stock of annuities, transferrable at the bank of *England*, until redemption thereof by parliament, in manner herein after mentioned; any thing in this or any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

XXI. And be it further enacted by the authority aforesaid, That the governor and company of the bank of *England* shall, and they are hereby required to cause such books to be prepared as shall be necessary for receiving the subscription or consent of such of the proprietors of the several and respective annuities, after the rate of three pounds ten shillings *per centum per annum*, transferrable at their office; and also of the proprietors of the several annuities, tallies and orders payable at the exchequer, out of the duties on wrought plate, as shall subscribe the same into the several joint stocks of annuities before mentioned; which books shall be constantly kept open at the said bank of *England* for that purpose, every day, *Sundays* and holidays only excepted, from the said tenth day of *October* one thousand seven hundred and fifty two, to the said fifth day of *April* one thousand seven hundred and fifty three inclusive, and no longer, subject nevertheless to such further directions, with respect to the taking in or receiving such subscriptions or consents from the proprietors of the said annuities, after the rate of three pounds ten shillings *per centum per annum*, as shall or may be given by the commissioners of the treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being, for the benefit and advantage of the publick; and it shall and may be lawful to and for the proprietors of the said several and respective annuities, their respective attornies, representatives or assigns, or such person or persons as he, she or they shall respectively authorize and empower, by writing, in that behalf, to subscribe for them; and all persons impowered to receive any interest or dividend that shall become due on the said annuities, shall, and they have hereby power to make their subscriptions and give their consents in the said respective books accordingly, without any fee or charge, at any time between the said tenth day of *October* one thousand seven hundred and fifty two, and the said fifth day of *April* one thousand seven hundred and fifty three, in manner following; that is to say, That such of the said annuities as were first subscribed in pursuance of the before recited act of the twenty third year of his Majesty's reign, shall be subscribed into the joint stock of annuities, amounting to the principal sum of fourteen millions eight hundred fifty seven thousand nine hundred fifty five pounds eighteen shillings and four pence; and such of the said annuities as were last subscribed in pursuance of one other act of the same session of parliament, shall be subscribed into the joint stock of annuities, amounting

Bank to provide books for subscriptions,

to be open from 10 October 1752, to 5 April 1753, &c.

The proprietors may subscribe;

viz. the annuities first subscribed to be subscribed into the joint stock, amounting to 14,857,955 l. 18 s. 4 d. and the last subscribed, into to

the joint stock,  
amounting to  
the sum of  
2,713,617l.  
38 s.

Officers to at-  
tend to take  
in subscrip-  
tions.

Executors,  
&c. may sub-  
scribe.

The tallies  
and orders to  
be delivered  
up to the ac-  
countant ge-  
neral of the  
bank,

and to be  
transmitted to  
the exchequer  
to be can-  
celled.

Clause of re-  
demption.

to the principal sum of two millions seven hundred thirteen thousand six hundred seventeen pounds eighteen shillings; and the several officers of the said governor and company who shall be appointed to take in the said subscriptions, or receive such con-  
sents as aforesaid, shall, during the time aforesaid, constantly attend at the said office for that purpose, at such hours as business is usually transacted there.

XXII. And it is hereby enacted by the authority aforesaid, That it shall and may be lawful for all executors, administrators, guardians, trustees, committees of the estates of ideots or lunatics, and the accountant general of the court of *Chancery*, and the deputy remembrancer of his Majesty's court of *Exchequer*, and the attornies, representatives or assignees of such executors, administrators, guardians, trustees and committees, to make or cause to be made subscriptions in the book or books herein before mentioned, signifying their consent to subscribe the several and respective annuities herein before-mentioned, carrying an interest after the rate of three pounds ten shillings *per centum per annum* and three pounds *per centum per annum* into the several and respective joint stocks of annuities aforesaid, for and on the behalf of their respective testators, infants, minors, femes covert, ideots or lunatics, and the suitors of the court of *Chancery*, and of the said court of *Exchequer*, and others, for whom they are or shall be respectively intrusted; and such executors, administrators, guardians, trustees, committees, and the attornies, representatives or assignees of such executors, administrators, guardians, trustees and committees, and the accountant general and deputy remembrancer, are and shall be, by virtue of this act, indemnified in and for the doing the same.

XXIII. And be it further enacted, That all and every the tallies and orders which shall be subscribed for annuities, transferrable at the bank of *England*, in pursuance of this act, shall be delivered up by the respective proprietor or proprietors thereof, or by his, her or their respective attornies or representatives, to the accountant general of the bank of *England*, or to such person or persons who shall be employed by the governor and company of the bank of *England*, to take such subscriptions, who is hereby empowered to give credit to the said proprietor, for so much interest or share in the joint stocks of annuities respectively, to which the same shall be subscribed, pursuant to the directions in this act before-mentioned and expressed, as the said principal sums in the said tallies and orders shall amount unto; and the tallies and orders so subscribed, shall be transmitted by the said accountant general, or other person or persons empowered to take such subscriptions as aforesaid, into the office of the auditor of the receipt of his Majesty's exchequer, to be there cancelled and made void.

XXIV. Provided also, and it is hereby enacted by the authority aforesaid, That at any time upon one year's notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, and upon repayment by parliament, according

to such notice, of the said several and respective sums, or any part thereof, for which the said several and respective annuities or any of them shall be payable, by payments not less than five hundred thousand pounds at one time, in such manner as shall be directed by any future act or acts of parliament in that behalf and also upon full payment of all arrearages of the same annuities; then, and not till then, so much of the said several and respective annuities as shall be attending on the said principal sums so paid off, shall cease, determine and be understood to be redeemed; and that any vote or resolution of the house of commons, signified by the speaker in writing, to be inserted in the said *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient notice within the words and meaning of this act.

XXV. Provided nevertheless, That no part of any of the Annuities sub-annuities which were subscribed in pursuance of the said two subscribed not re-acts of the twenty third year of his Majesty's reign, shall be deemedable before the times liable to be redeemed before the times therein respectively limited; any thing herein contained to the contrary thereof in any wise notwithstanding.

XXVI. And be it further enacted by the authority aforesaid, The first and That from and after the said fifth day of *April* one thousand last subscribed seven hundred and fifty eight, the joint stock of the first sub- Old South Sea subscribed *Old South Sea* annuities, with as much of the joint stock annuities, to of the second subscribed *Old South Sea* annuities as shall be then be consolidated; unsatisfied, shall be made one joint stock of *Old South Sea* annuities.

XXVII. And be it further enacted by the authority aforesaid, and the New That from and after the said fifth day of *January* one thousand South Sea an- seven hundred and fifty eight, the joint stock of the first sub- nuities. scribed *New South Sea* annuities, with so much of the joint stock of the second subscribed *New South Sea* annuities as shall be then unsatisfied, shall be made into one new joint stock of *South Sea* annuities.

#### CAP. XXVIII.

An act for repairing the post road from the city of Edinburgh through the counties of Linlithgow and Sterling, from the Boat-house Ford on Almond Water, and from thence to the town of Linlithgow, and from the said town to Falkirk, and from thence to Sterling; and also from Falkirk to Kilfyth, and to Inch Bellie Bridge, on the post road to the city of Glasgow. *Certain tolls granted for 21 years.*

#### CAP. XXIX.

*An act for giving a proper reward to coroners for the due execution of their office; and for the removal of coroners upon a lawful conviction for certain misdemeanors.*

WHEREAS the office of coroner is a very ancient and necessary office: and whereas by an act made in the third year of the reign of King Henry the Seventh, reciting that coroners had not, nor ought to have, any thing by the law for their office doing; Hen. 7. c. 1. which oft-time had been the occasion that coroners had been remiss in doing

*doing their office: it was ordained, That a coroner should have for his fee, upon every inquisition taken upon the view of the body slain, thirteen shillings and four pence, of the goods and chattels of him that is the slayer and murderer, if he have any goods; and if he have no goods, of such amerciements as should fortune any township to be amerced, for the escape of the murderer; and whereas the said fee of thirteen shillings and four pence, due only upon an inquisition taken upon the view of a body slain or murdered, and payable only out of the goods and chattels of the slayer or murderer, or out of the amerciements imposed upon the township, if the murderer escape, is not an adequate reward for the general execution of the said office: to the intent therefore that coroners may be encouraged to execute their office with diligence and integrity; be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same,*

Coroner to be paid 20 s. for every inquisition taken in any township contributing to the county rates, (except on bodies dying in gaol) and 9d. for every mile he shall be obliged to travel, to be paid out of the county rates;

That for every inquisition, not taken upon the view of a body dying in a gaol or prison, which from and after the twenty fourth day of *June* one thousand seven hundred and fifty two, shall be duly taken within that part of *Great Britain* called *England*, by any coroner or coroners, in any township or place, contributory to the rates directed by an act made in the twelfth year of the reign of his present Majesty, intituled, *An act for the more easy assessing, collecting and levying of county rates*, the sum of twenty shillings; and for every mile which he or they shall be compelled to travel, from the usual place of his or their abode, to take such inquisition, the further sum of nine pence, over and above the said sum of twenty shillings, shall be paid to him or them out of any monies arising from the rates before-mentioned, by order of the justices of the peace in their general or quarter sessions assembled, for the county, riding, division or liberty where such inquisition shall have been taken, or the major part of them; which order the said justices of the peace so assembled, or the major part of them, are hereby authorized and directed to make; for which order no fee or reward shall be paid to the clerk of the peace or any other officer.

and for every inquisition on bodies dying in gaol, as the justices shall think fit;

II. And be it further enacted by the authority aforesaid, That for every inquisition, which from and after the said twenty fourth day of *June* one thousand seven hundred and fifty two, shall be duly taken upon the view of a body dying in any gaol or prison, within that part of *Great Britain* called *England*, by any coroner or coroners of a county, so much money not exceeding the sum of twenty shillings, shall be paid to him or them, as the justices of the peace in their general or quarter sessions assembled for the county, riding or division wherein such gaol or prison is situate, or the major part of them, shall think fit to allow as a recompence for his or their labour, pains and charges in taking such inquisition, to be paid in like manner by order of the said justices, or the major part of them, out of any monies arising from the said rates; which order the said justices of the peace so assembled, or the major part of them, are hereby authorized

thorized and directed to make; for which order no fee or reward shall be paid to the clerk of the peace or any other officer.

III. Provided nevertheless, That over and above the recompence hereby limited and appointed for inquisitions taken as aforesaid, the coroner or coroners who shall take an inquisition upon the view of any body slain or murdered, shall also have the fee of thirteen shillings and four pence, payable by virtue of the said act made in the third year of the reign of King *Henry* the Seventh, out of the goods and chattels of the slayer or murderer, or out of the amerciaments imposed upon the township, if the slayer and murderer escape; any thing in this act contained to the contrary thereof in any wise notwithstanding.

and for inquisitions on a body slain, 13 s. 4 d. over and above.

IV. Provided also, and be it declared and enacted by the authority aforesaid, That no coroner to whom any benefit is given by this act, shall, by colour of his office, or upon any pretext whatsoever, take for his office doing, in case of the death of any person, any fee or reward, other than the said fee of thirteen shillings and four pence, limited as is aforesaid by the said act made in the third year of the reign of King *Henry* the Seventh, and other than the recompence hereby limited and appointed, upon pain of being deemed guilty of extortion.

Coroner taking more, guilty of extortion.

V. Provided likewise, and be it further enacted by the authority aforesaid, That no coroner of the King's household, and of the verge of the King's palaces, nor any coroner of the admiralty, nor any coroner of the county palatine of *Durham*, nor any coroner of the city of *London* and borough of *Southwark*, or of any franchises belonging to the said city; nor any coroner of any city, borough, town, liberty or franchise, which is not contributory to the rates directed by the said act, made in the twelfth year of the reign of his present Majesty, or within which such rates have not been usually assessed, shall be intitled to any fee, recompence or benefit given to or provided for coroners by this act; but that it shall and may be lawful for all such coroners as are last-mentioned, to have and receive all such fees, salaries, wages and allowances as they were intitled to by law before the making of this act, or as shall be given or allowed to them by the person or persons by whom they have been or shall be appointed.

Coroners for particular places excepted.

VI. And be it further enacted by the authority aforesaid, That if any coroner who is not appointed by virtue of an annual election or nomination, or whose office of coroner is not annexed to any other office, shall from and after the said twenty fourth day of *June* one thousand seven hundred and fifty two, be lawfully convicted of extortion, or wilful neglect of his duty, or misdemeanor in his office, it shall be lawful for the court before whom he shall be so convicted, to adjudge that he shall be removed from his office; and thereupon, if such coroner shall have been elected by the freeholders of any county, a writ shall issue for the removing him from his office, and electing another coroner in his stead, in such manner as writs for the removal or discharge of coroners, and for electing coroners in their stead, are

Coroner convicted of misdemeanor in his office, to be removed.

are in any cafes already directed by law : and if the coroner fo convicted fhall have been appointed by the lord or lords of any liberty or franchise, or in any other manner than by the election of the freeholders of any county, the lord or lords of fuch liberty or franchise, or the perfon or perfons intituled to the nomination or appointment of any fuch coroner, fhall, upon notice of fuch judgment of amoval, nomination, and appointment, another perfon to be coroner in his ftead.

## C A P. XXX.

*An act to amend an act made in the laft feflion of parliament, (intituled, An act for regulating the commencement of the year, and for correcting the calendar now in ufe.)*

24 Geo. 2. c. 23.

**W**HEREAS by an act of parliament made in the twenty fourth year of the reign of his prefent Majefty, (intituled, An act for regulating the commencement of the year, and for correcting the calendar now in ufe) it is among other things enacted, That the natural day next immediately following the fecond day of September, which fhall be in the year of our Lord one thoufand feven hundred and fifty two, fhall be reckoned and accounted to be the fourteenth day of September, omitting for that time only, the eleven intermediate nominal days of the common calendar, and that the days immediately fucceeding fhall be called, reckoned and numbered forwards in numerical order, from the faid fourteenth day of September, and that all meetings and affemblies of any bodies politick or corporate, either for the election of any officers or members thereof, or for any fuch officers entering upon the execution of their refpective offices, or for any other purpofe which by law, charter, custom or ufe, are to be holden on any fixed or certain day of any month, fhall from and after the faid fecond day of September, be holden and kept upon or according to the fame refpective nominal days and times whereon the fame are then to be holden ; but which fhould be computed according to the new method of numbering and reckoning the days of the calendar as therein mentioned, as by the faid act may more fully appear : and whereas by the charters, customs or ufe of fome cities, boroughs, towns or other communities, or bodies politick or corporate, the election of officers, or the entrance of officers on the execution of their offices, or the doing of fome other corporate acts, may be fixed or required to be on fome certain nominal day or days of the faid month of September, falling between the fecond and fourteenth days of the fame month, which faid nominal days, are by the faid act required to be dropt or omitted for this prefent year, fo that there will not in fact be any nominal days between the faid fecond and fourteenth days of the faid month of September for this prefent year, whereon fuch corporate acts can be done ; and doubts have arifen whether fuch corporate acts may be done at all without a fpecial provifion for that purpofe, by authority of parliament ; and inconveniencies may poffibly enfue for want thereof ; be it therefore enacted by the King's moft excellent majefty, by and with the advice and confent of the lords fpiritual and temporal and commons in this prefent parliament afsembled,

and

and by the authority of the same, That it shall and may be law-  
ful to and for all such bodies politick and corporate as aforesaid,  
and all and every the officers and members thereof, and they  
and every of them are hereby required to do all such acts, as  
by any law, charter or usage are appointed or required to be  
done on any of the nominal days of or in the said month of Sep-  
tember, which by the said recited act are directed to be dropt or  
omitted for this present year, upon the same natural day or days  
of this year only, as such acts would, might or ought to be  
done, in case the said recited act had not been made; and that  
all acts to be done in pursuance hereof shall be deemed and are  
hereby declared and enacted to be as good and effectual to all  
intents and purposes, as if the same were done on any of the no-  
minal days for dropt or omitted as aforesaid; any law, statute,  
charter, custom or usage to the contrary in any wise notwith-  
standing.

The election  
of officers, &c.  
to be done up-  
on upon the  
same natural  
days of this  
year only, as  
before.

II. And whereas in divers parts of this kingdom, by custom, pre-  
scription or usage, or by virtue of some law or contract, certain lands  
and grounds are to be opened and used for common of pasture or other  
purposes, and the same lands and grounds are again inclosed and shut  
up, and certain rents or other payments are due and payable, and some  
other matters and things may be to be done upon some of the moveable  
feasts, or upon certain days or times depending upon or to be computed  
from the same: and whereas the said moveable feasts are hereafter to  
take place, and to be observed according to the new calendar by the  
said act directed to be used, whereby some doubts have already arisen,  
or may hereafter arise, about the time for opening and using, inclosing  
and shutting up such lands and grounds, the paying off such rents or  
other payments, and the doing such other matters or things as afore-  
said; for remedy thereof be it further enacted by the authority  
aforesaid, That from and after the said second day of September  
in the said year of our Lord one thousand seven hundred and  
fifty two, the respective times for opening, using, inclosing and  
shutting up all such lands and grounds as aforesaid, for the pay-  
ing of such rents or other payments, and for the doing of such  
other matters or things as aforesaid, if such times are depending  
on any moveable feast or feasts, shall be computed and take place  
according to the said new calendar, and the tables and rules in  
the said recited act directed to be used, and not according to the  
method of supputation heretofore used, or to the tables hereto-  
fore commonly affixed to the book of common prayer; and the  
temporary and distinct property and right of all persons, bodies  
politick and corporate, of, to and in all such lands and grounds,  
shall commence and be enjoyed, and all such rents and pay-  
ments shall become and be due and payable, and all such mat-  
ters and things shall be transacted and done accordingly; any  
law, custom, prescription or usage to the contrary notwith-  
standing.

The times for  
opening and  
inclosing  
grounds for  
common, and  
payment of  
rents, &c. if  
the same de-  
pend on any  
moveable  
feast, are to be  
according to  
the new ca-  
lendar.

III. Provided always, and it is hereby further declared and  
enacted by the authority aforesaid, That nothing in this act  
contained shall extend, or be construed to extend to the abridg-  
ing,

The title to  
such lands not  
altered.



ing, enlarging, confirming or altering, the title of any person, body politick or corporate whatsoever, of in or to any such lands or grounds, but the same shall remain and continue the same in all respects, (except as to the new computation of time when such respective right or the enjoyment thereof shall commence, or be put in use.)

IV. *And whereas within the city of London, at the accustomed time of the annual meeting and swearing of the said city, for the admission and swearing of the mayor of the said city in the Guildhall there, hath been on Simon and Jude, being the twenty eighth day of the said year; and the usual and accustomed solemnity of presenting the mayor of the same city in the court of Westminster, hath been on the day next following, to wit, on the twenty ninth day of October, in every year: and whereas by the said in parliament made, it was enacted, That all meetings and assemblies of any bodies politick or corporate, either for the election of any officers or members thereof, or for any such officers entering upon the execution of their respective offices, or for any other purpose whatsoever, which by any law, statute, charter, custom or usage within this kingdom, were to be holden and kept on any fixed or certain day of any month, should, from and after the second day of September one thousand seven hundred and fifty two now next ensuing, be holden and kept upon or according to the same respective nominal days and times whereon or according to which the same were, at the time of making the said act, to be holden: and whereas by another act of parliament made in the same twenty fourth year of the reign of his present Majesty, intituled, An act for the abbreviation of Michaelmas term, it was enacted, That the said solemnity of presenting and swearing the mayors of the said city of London, before the King or Queen of England, in their court of Exchequer at Westminster, or before the barons of the said court, after every annual election into the said office, in the manner and form heretofore used, on the twenty ninth day of October, should, from and after the feast of Saint Michael in the year of our Lord one thousand seven hundred and fifty two, be kept and observed on the ninth day of November in every year; be it therefore enacted by the authority aforesaid, That the said annual admission and swearing of the mayor of the said city of London, at the Guildhall there, shall not at any time hereafter be had and performed on the said twenty eighth day of October; but the same, and all annual meetings and assemblies for that purpose, shall at all times hereafter be had, done and holden in the usual and accustomed manner on the eighth day of November in every year, being the day next preceding the said ninth day of November, whereon the said solemnity of presenting and swearing the mayor of the said city in the court of Exchequer is appointed for the future to be kept and observed as aforesaid, and not before; any thing in the said recited act of parliament, or any law, custom or usage to the contrary thereof in any wise notwithstanding.*

24 Geo. 2. c. 48.

The annual admission and swearing of the mayor of London to be on 8 Nov.

## CAP. XXXI.

An act to continue, explain and amend several laws more effectually to prevent the spreading of the distemper which now rages amongst the poor people in this kingdom.

## CAP. XXXII.

*It shall be lawful for the importation of gum senega into this kingdom from any part of Europe, upon the payment of a duty; and for James Guthrie, with respect to the duty, upon a quantity of tobacco burnt at the port of Liverpool; and for giving further time for the most of duties omitted to be paid for the indentures or contracts of clerks and apprentices.*

**W**HEREAS the printing of silks, linens and callicoes, is greatly improved in this kingdom: and the value of the said manufactures is thereby considerably increased, and the exportation thereof increased: and whereas the printing of the said manufactures cannot be carried to perfection without a sufficient quantity of gum senega; the importation of which hath of late greatly decreased, and the price thereof advanced to an excessive rate, whereby it is become necessary that some provision should be made for the more effectual and constant supply of that useful and valuable commodity, in order to encourage, support and extend the said trade: and whereas gum senega cannot otherwise be imported into this kingdom than according to the rules prescribed by an act made in the twelfth year of the reign of King Charles the Second, intituled, An act for the encouraging and increasing of shipping and navigation: Therefore we, your Majesty's most faithful commons, in order to support and extend the said trade, by allowing the importation of gum senega from any place in Europe, so as not to discourage the importation of the said commodity from the places of its growth or produce, do most humbly beseech your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That from and after the tenth day of April one thousand seven hundred and fifty two, it shall and may be lawful to and for any of his Majesty's subjects to import into this kingdom gum senega, in British built ships, navigated according to law, from any port or place in Europe, upon payment of the duty, and under the restrictions and limitations herein after-mentioned; any thing in the said act made in the twelfth year of the reign of King Charles the Second, or in any other act or acts of parliament to the contrary in any wise notwithstanding.

Gum Senega allowed to be imported from any part of Europe,

**II** And be it further enacted by the authority aforesaid, That upon payment there shall be paid to his Majesty, his heirs and successors, for every hundred pounds weight of gum senega, which at any time or times after the said tenth day of April one thousand seven hundred and fifty two, shall be imported or brought into this kingdom,

of 10s. per hundred weight.

kingdom, from any port or place in *Europe*, by the importer of such gum senega, before the landing thereof, a duty of ten shillings; and so in proportion for any greater or less quantity.

To be under the management of the commissioners of the customs.

III. And be it further enacted by the authority aforesaid, That the said duty hereby granted and made payable, shall be raised, levied and collected, by the respective officers of his Majesty's customs in this kingdom, under the management and direction of the respective commissioners of the customs for the time being; and that all and every the clauses, powers, directions, penalties, forfeitures, matters and things whatsoever, contained in an act made in the twelfth year of the reign of King *Charles the Second*; intituled, *A subsidy granted to the King of tonnage and poundage, and other sums of money payable upon merchandize exported and imported*, or in any other laws or statutes whatsoever now in force for raising, levying, collecting, answering and paying the subsidy of tonnage and poundage thereby granted, shall be applied, practised and put in execution, for raising, levying, securing, collecting, answering and paying the duty by this act granted and made payable, as fully and effectually to all intents and purposes as if all and every the said clauses, powers, directions, penalties and forfeitures were particularly repeated, and again enacted, in the body of this present act.

12 Car. 2. c. 4.

IV. And be it further enacted by the authority aforesaid, That if any person or persons shall enter, or cause to be entered, any gum senega as imported immediately from the place of its growth or produce, or from any of his Majesty's colonies or plantations in *America*, in order to avoid the payment of the duty by this act granted and made payable, which gum senega shall afterwards appear to have been imported from some port or place in *Europe*, the person or persons making, or causing to be made, such entry or entries, shall forfeit all such gum senega so entered, and also double the value thereof, to be sued for and recovered by bill, plaint or information, in any of his Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland* respectively, wherein no essoin, protection, wager of law, or more than one imparlance, shall be allowed; and one moiety of the said forfeiture, when recovered, shall go and be applied to the use of his Majesty, his heirs and successors, and the other moiety to the use of the person or persons who shall sue or prosecute for the same.

to forfeit the same, and double the value;

one moiety to the King, and the other to the prosecutor.

*Onus Probandi* to lie on the importers.

V. Provided always, and be it enacted, That upon all disputes which shall arise touching the port or place from whence any gum senega shall have been imported, the *Onus Probandi* shall lie on the importer, and not on the informer or prosecutor any law, custom or usage to the contrary notwithstanding.

Duties to be kept apart, to be applied by parliament.

VI. And be it further enacted by the authority aforesaid, That the money arising by the duty hereby granted and made payable (the necessary charges of raising the same excepted) shall from time to time be paid into the receipt of his Majesty's exchequer, distinctly and apart from all other branches of the public revenues

venues, subject and liable to the uses, applications and purposes, as shall by any future act or acts of parliament be directed or appointed.

*And whereas the ship Neptune of Dumfries, James Sturgeon master, being loaded with tobacco, and bound to the port of Diepe in France, was on the sixteenth day of June one thousand seven hundred and fifty, on board within the limits of the port of Kircudbright, where, a quantity of tobacco, amounting to two hundred and twenty three thousand four hundred and eight pounds, was totally damaged and rendered useless, the duties whereof had been paid and secured at the said port of Kircudbright, by James Guthrie and company, merchants in Dumfries, and others, at importation, according to law: and whereas the whole of the said damaged tobacco was burnt in the sight, and by the direction of the officers of his Majesty's customs at the said port of Kircudbright, and no part thereof sold or consumed in Great Britain; Be it therefore enacted by the authority aforesaid, That the collector or other proper officer or officers at the said port of Kircudbright shall, and they are hereby impowered and required to make out and grant a proper debenture or debentures for the said two hundred and twenty three thousand four hundred and eight pounds of tobacco, whereby the said James Guthrie and company may be intitled to draw back such part of the duties of the said tobacco as had been paid at the importation thereof, and whereby the bonds or securities granted for the remainder of the said duties may be discharged and vacated, together with any interest become due thereon since the said sixteenth day of June one thousand seven hundred and fifty, in the same manner as if the said tobaccos had been then exported to parts beyond sea; and the said bonds and securities so given, with the said interest, shall from henceforth be discharged and vacated, and the same are hereby declared to be discharged and vacated accordingly; any act or acts of parliament to the contrary notwithstanding.*

Collectors of Kircudbright to make a debenture for 223 480 lb. of tobacco belonging to James Guthrie, for which duty had been paid, &c.

Time given to make payment of the duties omitted to be paid for the indentures or contracts of clerks and apprentices, and for tendering the same to be stamped, &c.

### CAP. XXXIII.

An act for repairing the road leading from the town of Morpeth, by or through Mitford, Thopple, Long Witton, and by the north side of Rothley Park wall to Sting Cross, and to the High Cross in Elldon in the county of Northumberland. *Certain tolls granted for 21 years.*

### CAP. XXXIV.

An act for the more easy and speedy recovery of small debts within the town of Birmingham, and hamlet of Deritend thereto adjoining, in the county of Warwick.

## CAP. XXXV.

*An act for continuing the act for encouraging the growth of coffee in his Majesty's plantations in America, and for continuing, under certain regulations, so much of the act as relates to the Præmium upon the importation of masts, yards and bowsprits, tar, pitch and turpentine.*

Geo. 2. c. 24.  
for encourag-  
ing the growth  
of coffee, con-  
tinued to 25  
March 1758,  
&c.

**W**HEREAS the laws herein after-mentioned have by ex-  
perience been found useful and beneficial, and for the encouraging:  
may it therefore please your Majesty, that it may be enacted;  
and be it enacted by the King's most excellent majesty, by and  
with the advice and consent of the lords spiritual and temporal  
and commons in this present parliament assembled, and by the  
authority of the same, That an act made in the fifth year of the  
reign of his present Majesty, (intituled, *An act for encouraging  
the growth of coffee in his Majesty's plantations in America*) which  
was to continue in force from the twenty fifth day of *March* one  
thousand seven hundred and thirty nine, and from thence to the  
end of the then next session of parliament; and which by an  
act made in the eleventh year of his present Majesty's reign, was  
further continued from the expiration thereof for the further  
term of seven years, and from thence to the end of the then  
next session of parliament; and which by an act made in the  
nineteenth year of his present Majesty's reign, was further con-  
tinued from the expiration of the said last-mentioned term for  
the further term of seven years, and from thence to the end of  
the then next session of parliament, shall be, and the same is  
hereby further continued from the expiration thereof until the  
twenty fifth day of *March* one thousand seven hundred and fifty  
eight, and from thence to the end of the then next session of  
parliament.

So much of 2  
Geo. 2. c. 35.  
as relates to  
the præmium  
on the impor-  
tation of  
masts, yards  
and bowsprits,  
tar, pitch and  
turpentine,  
further conti-  
nued to 25  
March 1758.

**II.** And be it further enacted by the authority aforesaid, That  
so much of an act made in the second year of his present Ma-  
jesty (intituled, *An act for the better preservation of his Majesty's  
woods in America; and for the encouragement of the importation of  
naval stores from thence, and to encourage the importation of masts,  
yards and bowsprits, from that part of Great Britain called Scot-  
land*) as relates to the *Præmium* upon masts, yards and bow-  
sprits, tar, pitch and turpentine; which was to continue in force  
from the twenty ninth day of *September* one thousand seven hun-  
dred and twenty nine, for the term of thirteen years, and to the  
end of the then next session of parliament; and which by ano-  
ther act made in the thirteenth year of the reign of his present  
Majesty, was continued until the twenty fifth day of *December*  
one thousand seven hundred and fifty, and from thence to the  
end of the then next session of parliament; and which, by ano-  
ther act made in the twenty fourth year of his Majesty's reign,  
was further continued, from the expiration thereof, until the  
twenty fifth day of *December* one thousand seven hundred and  
fifty one, and from thence to the end of the then next session

of parliament, ſhall be, and the ſame is hereby further continued from the expiration thereof until the twenty fifth day of March one thouſand ſeven hundred and fifty eight, and from thence to the end of the then next ſeſſion of parliament.

III. Provided, That no bounty ſhall be paid on any tar, unleſs each barrel ſhall contain thirty one gallons and one half, and that the officers who ſurvey ſuch barrel, ſhall not ſurvey the ſame till the water ſhall be all drawn off, and every barrel filled up with tar.

Regulation to be obſerved concerning tar.

## C A P. XXXVI.

*An act for the better preventing thefts and robberies, and for regulating places of publick entertainment, and puniſhing perſons keeping diſorderly houſes.*

WHEREAS the adverting a reward with no queſtions asked, for the return of things which have been loſt or ſtolen, is one great cauſe and encouragement of thefts and robberies; be it enacted by the King's moſt excellent Majeſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That from and after the firſt day of June one thouſand ſeven hundred and fifty two, any perſon publickly adverting a reward with no queſtions asked, for the return of things which have been ſtolen or loſt, or making uſe of any words in ſuch publick advertiſement, purporting that ſuch reward ſhall be given or paid without ſeizing or making enquiry after the perſon producing ſuch thing ſo ſtolen or loſt, or promiſing or offering, in any ſuch publick advertiſement, to return to any pawnbroker, or other perſon, who may have bought or advanced money by way of loan upon ſuch thing ſo ſtolen or loſt the money ſo paid or advanced, or any other ſum of money or reward for the return of ſuch thing; and any perſon printing or publiſhing ſuch advertiſement, ſhall reſpectively forfeit the ſum of fifty pounds for every ſuch offence, to any perſon who will ſue for the ſame.

The perſon adverting a reward for the return of things ſtolen or loſt, &c.

and the printer to forfeit 50 l.

II. And whereas the multitude of places of entertainment for the lower ſort of people is another great cauſe of thefts and robberies, as they are thereby tempted to ſpend their ſmall ſubſtance in riotous pleaſures, and in conſequence are put on unlawful methods of ſupplying their wants, and renewing their pleaſures: in order therefore to prevent the ſaid temptation to thefts and robberies, and to correct as far as may be the habit of idleneſs, which is become too general over the whole kingdom, and is productive of much miſchief and inconvenience; be it enacted by the authority aforeſaid, That from and after the firſt day of December one thouſand ſeven hundred and fifty two, any houſe, room, garden, or other place kept for publick dancing, muſick, or other publick entertainment of the like kind, in the cities of London and Weſtmiſter, or within twenty miles thereof, without a licence had for that purpoſe, from the laſt preceding Allſhmas quarter-days of the peace, to be holden for the county, city, riding,

Unlicenſ'd places of entertainment, deemed diſorderly houſes.

Constables  
may seize per-  
sons found  
therein.

Person keep-  
ing the same,  
to forfeit 100l.

Licensed pla-  
ces to have an  
inscription o-  
ver them,

and not to be  
opened before  
5 in the even-  
ing.

On breach of  
either of the  
conditions the  
licence to be  
revoked.

The theatres  
royal or per-  
formances li-  
censed by the  
crown or lord  
chamberlain,  
excepted.

liberty or division in which such house, room, garden, or other place is situate, (who are hereby authorized and impowered to grant such licences as they in their discretion shall think proper) signified under the hands and seals of four or more of the justices there assembled, shall be deemed a disorderly house or place: and every such licence shall be signified and sealed by the said justices in open court, and afterwards deposited by the clerk of the peace, together with the names of the justices subscribing the same; and no such licence shall be granted at any adjourned sessions; nor shall any fee or reward be taken for any such licence: and it shall not be lawful to and for any constable, or other person, being otherwise authorized, by warrant under the hand and seal of one or more of his Majesty's justices of the peace of the county, city, riding, division or liberty where such house or place shall be situate, to enter such house or place, and to seize every person who shall be found therein, in order that they may be dealt with according to law: and every person keeping such house, room, garden, or other place, without such licence as aforesaid, shall forfeit the sum of one hundred pounds to such person as will sue for the same; and be otherwise punishable as the law directs in cases of disorderly houses.

III. Provided always, and it is hereby further enacted by the authority aforesaid, That in order to give publick notice what places are licensed pursuant to this act, there shall be affixed and kept up in some notorious place over the door or entrance of every such house, room, garden, or other place, kept for any of the said purposes, and so licensed as aforesaid, an inscription in large capital letters, in the words following; *videlicet*, LICENSED PURSUANT TO ACT OF PARLIAMENT OF THE TWENTY-FIFTH OF KING GEORGE THE SECOND; and that no such house, room, garden, or other place, kept for any of the said purposes, although licensed as aforesaid, shall be open for any of the said purposes before the hour of five in the afternoon; and that the affixing and keeping up of such inscription as aforesaid, and the said limitation or restriction in point of time, shall be inserted in, and made conditions of, every such licence; and in case of any breach of either of the said conditions, such licence shall be forfeited, and shall be revoked by the justices of peace in their next general or quarter sessions, and shall not be renewed; nor shall any new licence be granted to the same person or persons, or any other person on his or their or any of their behalf, or for their use and benefit, directly or indirectly, for keeping any such house, room, garden, or other place, for any of the purposes aforesaid.

IV. Provided always, That nothing in this act contained shall extend, or be construed to extend, to the theatres royal in *Drury Lane* and *Covent Garden*, or the theatre commonly called *The King's Theatre* in the *Hay Market*, or any of them; nor to such performances and publick entertainments as are or shall be

be lawfully exercised and carried on under or by virtue of letters patents, or licence of the crown, or the licence of the lord chamberlain of his Majesty's household; any thing herein contained notwithstanding.

V. And in order to encourage prosecutions against persons <sup>keeping bawdy houses, gaming houses or other disorderly houses,</sup> ~~by the authority~~ <sup>by the authority</sup> aforesaid, That if any two inhabitants of any parish or place, paying scot, and bearing lot therein, or any one of them, writing to any constable (or other peace officer of such nature, where there is no constable) of such parish or place, of any person keeping a bawdy house, gaming house, or any other disorderly house, in such parish or place, the constable or such officer as aforesaid, so receiving such notice, shall forthwith go with such inhabitants to one of his Majesty's justices of the peace of the county, city, riding, division or liberty in which such parish or place does lie; and shall, upon such inhabitants making oath before such justice, that they do believe the contents of such notice to be true, and entering into a recognizance in the penal sum of twenty pounds each, to give or produce material evidence against such person for such offence, enter into a recognizance in the penal sum of thirty pounds, to prosecute with effect such person for such offence at the next general or quarter session of the peace, or at the next assizes to be holden for the county in which such parish or place does lie, as to the said justice shall seem meet; and such constable or other officer shall be allowed all the reasonable expences of such prosecution, to be ascertained by any two justices of the peace of the county, city, riding, division or liberty where the offence shall have been committed, and shall be paid the same by the overseers of the poor of such parish or place; and in case such person shall be convicted of such offence, the overseers of the poor of such parish or place shall forthwith pay the sum of ten pounds to each of such inhabitants; and in case such overseers shall neglect or refuse to pay to such constable or other officer such expences of the prosecution as aforesaid, or shall neglect or refuse to pay upon demand, the said sums of ten pounds and ten pounds, such overseers, and each of them, shall forfeit to the person intitled to the same, double the sum so refused or neglected to be paid.

Constable's duty upon notice of persons keeping a bawdy house, gaming house, &c.

The charges of prosecution,

and 10 l. on conviction to each of the two inhabitants, to be paid by the overseers,

on penalty of forfeiting double.

VI. Provided always, and be it enacted by the authority aforesaid, That upon such constable or other officer entering into such recognizance to prosecute as aforesaid, the said justice of the peace shall forthwith make out his warrant to bring the person so accused of keeping a bawdy house, gaming house or other disorderly house, before him, and shall bind him or her over to appear at such general or quarter session or assizes, there to answer to such bill of indictment as shall be found against him or her for such offence; and such justice shall and may, if in his discretion he thinks fit, likewise demand and take security for such person's good behaviour in the mean time, and until such indictment.

Person keeping such bawdy-house, &c. to be bound over.



indictment shall be found, heard and determined, or be returned by the grand jury not to be a true bill.

Constable neglecting his duty forfeits 20 l.

VII. Provided also, That in case such constable shall neglect or refuse, upon such notice, to go before any justice of the peace, or to enter into such recognizance, or shall be wilfully negligent in carrying on the said prosecution, he shall for every such offence forfeit the sum of twenty pounds to any one of such inhabitants so giving notice as aforesaid.

Who shall be deemed the keeper of such bawdy-house, &c.

VIII. *And whereas, by reason of the many subtle and crafty contrivances of persons keeping bawdy-houses, gaming-houses, or other disorderly houses, it is difficult to prove who is the real owner or keeper thereof, by which means many notorious offenders have escaped punishment;* be it enacted by the authority aforesaid, That any person who shall at any time hereafter appear, act or behave him or herself as master or mistress, or as the person having the care, government or management of any bawdy-house, gaming-house or other disorderly house, shall be deemed and taken to be the keeper thereof, and shall be liable to be prosecuted and punished as such, notwithstanding he or she shall not in fact be the real owner or keeper thereof.

Evidence may be given by an inhabitant, &c.

IX. Provided nevertheless, That upon any such prosecution against any person for keeping a bawdy-house, gaming-house or other disorderly house, any person may give evidence against the defendant or on behalf of the defendant in such prosecution, notwithstanding his or her being an inhabitant or parishioner of the said parish or place, or having entered into such recognizance as aforesaid.

Indictment not removable by Certiorari.

X. And be it further enacted by the authority aforesaid, That no indictment which shall at any time after the said first day of June be preferred against any person for keeping a bawdy-house, gaming-house or other disorderly house, shall be removed by any writ of *Certiorari* into any other court; but such indictment shall be heard, tried and finally determined, at the same general or quarter session or assizes, where such indictment shall have been preferred (unless the court shall think proper, upon cause shewn, to adjourn the same) any such writ or allowance thereof notwithstanding.

In prosecutions for felony, court may make orders for payment of the prosecutor's expenses;

XI. *And whereas many persons are deterred from prosecuting persons guilty of felony, upon account of the expence attending such prosecutions, which is another great cause and encouragement of thefts and robberies;* in order therefore to encourage the bringing offenders to justice, be it enacted by the authority aforesaid, That it shall and may be in the power of the court, before whom any person has been tried and convicted of any grand or petit larceny, or other felony, at the prayer of the prosecutor, and upon production of his circumstances, to order the treasurer, in which the offence shall have been committed, to pay to such prosecutor such sum of money as to the court shall seem reasonable, not exceeding the expences which appear to the court the prosecutor was put unto in such prosecution, making him a reasonable allo-

Clerks fee for such order.

time and trouble therein; which order the clerk of affize, or clerk of the peace respectively, is hereby directed and required forthwith to make out and to deliver unto such prosecutor, upon being paid for the same the sum of one shilling, and no more; and the treasurer of the county is hereby authorized and required, upon sight of such order, forthwith to pay to such prosecutor, or some person authorized to receive the same, such sum of money as aforesaid, and shall be allowed the same in his accounts.

County treasurer to pay the order.

**XII.** And for the better discovering and bringing to justice thieves, robbers and other persons maintaining themselves by pilfering and defrauding mankind; be it enacted by the authority aforesaid, That it shall and may be lawful to and for any two or more of his Majesty's justices of the peace, in any county, city or liberty, in case any person apprehended upon any general privy search, or by virtue of any special warrant, shall be charged before them with being a rogue and vagabond, or an idle and disorderly person, or with suspicion of felony, (although no direct proof be then made thereof) to examine such person upon oath, not only as to the parish or place where he was last legally settled, but also as to his means of livelihood; the substance of which examination shall be put into writing, and be subscribed or signed by the person so examined; and the said justices shall likewise sign the same, and transmit it to the next general or quarter sessions of the peace to be holden for the same county, city or liberty, there to be filed, and to be kept on record; and if such person shall not make it appear to such justices, that he has a lawful way of getting his livelihood, or shall not procure some responsible house-keeper to appear to his character, and to give security for his appearance before such justices at some other day to be fixed for that purpose (in case the same shall be required) to commit such person to some prison or house of correction, for any time not exceeding six days; and in the mean time to order the overseers of the poor, or one of them, of the parish or place in which such person shall be apprehended, to insert an advertisement in some publick paper, describing such suspicious person, and any thing or things which shall have been found upon him, or in his custody, and which he shall be suspected not to have come honestly by, and mentioning the place to which such person is committed, and specifying the time and place when and where such person is to be again brought before them to be re-examined; and if no accusation shall be made against him, then such person shall be discharged, or dealt with according to law.

Justices may examine on oath rogues, vagabonds and other disorderly persons;

the examination to be transmitted to the sessions.

Person not giving a satisfactory account, &c. to be committed.

and an advertisement to be published, describing his person, and the things found on him.

And be it further enacted by the authority aforesaid, That no person intitled to any of the forfeitures by this act imposable for the same by action of debt, in any of his Majesty's courts of record at *Westminster*, in which it shall be sufficient to aver, That the defendant is indebted to the plaintiff

Recovery of forfeitures.

being forfeited by an act, intituled, *For the better preventing thefts and robberies, and for regulating*

Costs.

Limitation of actions.

Act to be in force for 3 years.

Made perpetual by 28 Geo. 2. c. 19.

lating places of publick entertainment, and punishing persons keeping disorderly houses; and the plaintiff, if he recover in any such action, shall have his full costs.

XIV. Provided, That no action shall be brought by virtue of this act, unless the same shall be commenced within the space of six calendar months after the offence committed.

XV. And be it further enacted by the authority aforesaid, That this act shall continue in force until the expiration of three years, to be computed from the first day of this session of parliament; and from thence to the end of the then next session of parliament, and no longer.

## CAP. XXXVII.

*An act for better preventing the horrid crime of murder.*

WHEREAS the horrid crime of murder has of late been more frequently perpetrated than formerly, and particularly in and near the metropolis of this kingdom, contrary to the known humanity and natural genius of the British nation: and whereas it is thereby become necessary, that some further terror and peculiar mark of infamy be added to the punishment of death, now by law inflicted on such as shall be guilty of the said heinous offence: may it please your most excellent Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled and by the authority of the same, That from and after the first day of *Easter* term, in the year of our Lord one thousand seven hundred and fifty two, all persons who shall be found guilty of wilful murder, be executed according to law, on the day next but one after sentence passed, unless the same shall happen to be the Lord's day, commonly called *Sunday*, and in that case on the *Monday* following.

Murderers to be executed the next day but one after sentence.

and their bodies to be delivered to Surgeons Hall.

II. And be it further enacted by the authority aforesaid, That the body of such murderer so convicted shall, if such conviction and execution shall be in the county of *Middlesex*, or within the city of *London* or the liberties thereof, be immediately conveyed by the sheriff or sheriffs, his or their deputy or deputies and his or their officers, to the hall of the *Surgeons Company*, or such other place as the said company shall appoint for this purpose, and be delivered to such person as the said company shall depute or appoint, who shall give to the sheriff or sheriffs, his or their deputy or deputies, a receipt for the same; and the body so delivered to the said company of *Surgeons*, shall be dissected and anatomized by the said *Surgeons*, or such person as they shall appoint for that purpose: and in case such conviction and execution shall happen to be in any other county or other place in *Great-Britain*, then the judge or justice of assize, or other proper judge, shall award the sentence to be put in execution the next day but one after such conviction (except as is before excepted) and the body of such murderer shall in like manner be delivered by the sheriff, or his deputy, and his officers, to such surgeon

surgeon as fuch judge or juftice fhall direct for the purpofe aforefaid.

III. And be it further enacted by the authority aforefaid, That fentence fhall be pronounced in open court immediately after the conviction of fuch murderer, and before the court fhall proceed to any other bufinefs, unlefs the court fhall fee reafonable caufe for pofponing the fame; in which fentence fhall be expreffed not only the ufual judgment of death, but alfo the time appointed hereby for the execution thereof, and the marks of infamy hereby directed for fuch offenders, in order to impreff a juft horror in the mind of the offender, and on the minds of fuch as fhall be prefent, of the heinous crime of murder.

Sentence to be pronounced immediately.

IV. Provided always, and be it enacted, That after fuch fentence pronounced as aforefaid, in cafe there fhall appear reafonable caufe, it fhall and may be lawful to and for fuch judge or juftice, before whom fuch criminal fhall have been fo tried, to ftay the execution of the fentence, at the difcretion of fuch judge or juftice, regard being always had to the true intent and purpofe of this act.

The judge may ftay the execution.

V. Provided alfo, That it fhall be in the power of any fuch judge or juftice to appoint the body of any fuch criminal to be hung in chains: but that in no cafe whatfoever the body of any murderer fhall be fuffered to be buried; unlefs after fuch body fhall have been difsected and anatomized as aforefaid; and every fuch judge or juftice fhall, and is hereby required to direct the fame either to be difpofed of as aforefaid, to be anatomized, or to be hung in chains, in the fame manner as is now praftifed for the moft atrocious offences.

and appoint the body to be hung in chains, or to be anatomized.

VI. And be it further enacted by the authority aforefaid, That from and after fuch conviction, and judgment given thereupon, the gaoler or keeper to whom fuch criminal fhall be delivered for fafe cuftody, fhall confine fuch prifoner to fome cell, or other proper and fafe place within the prifon, feparate and apart from the other prifoners; and that no perfon or perfons, whatfoever, except the gaoler or keeper, or his fervants, fhall have accefs to any fuch prifoner, without licence being firft obtained for that purpofe under the hand of fuch judge or juftice, before whom fuch offender fhall have been tried, or under the hand of the fheriff, his deputy or under fheriff.

Prifoner to be confined to fome cell;

and none but the gaoler, &c. to have accefs without licence from the judge or fheriff.

VII. Provided alway, That in cafe any fuch judge or juftice fhall fee caufe to refpite the execution of fuch offender fo condemned as aforefaid, fuch judge or juftice may relax or releafe any or all of the reftRAINTS or regulations herein before or herein after directed to be obferved by the gaoler or keeper of the prifon where fuch prifoner fhall be confined, by any licence in writing figned by fuch judge or juftice for that purpofe, for and during the time of fuch ftay of execution; any thing herein before contained to the contrary thereof notwithstanding.

Judge may relax the faid reftRAINTS.

VIII. And be it further enacted by the authority aforefaid, That after fentence paffed as aforefaid, and until the execution thereof,

Prifoner to be fed with bread thereof,

and water,  
except, &c.

thereof, such offender shall be fed with bread and water only, and with no other food or liquor whatsoever (except in case of receiving the sacrament of the Lord's supper, and except in case of any violent sickness or wound, in which case some known physician, surgeon or apothecary may be admitted by the gaoler or keeper of the said prison to administer necessaries; the christian and surname of such physician, surgeon or apothecary, and his place of abode, being first entered in the books of such prison or gaol, there to remain) and in case such gaoler or prison-keeper shall offend against or neglect to put in execution any of the directions or regulations hereby enacted to be observed, such gaoler or prison-keeper shall for such offence forfeit his office, and be fined in the sum of twenty pounds, and suffer imprisonment until the same be paid.

Gaoler making default to forfeit his office, and 20l.

Penalty of rescuing a murderer.

IX. And be it enacted by the authority aforesaid, That if any person or persons whatsoever shall by force set at liberty, or rescue or attempt to rescue or set at liberty, any person out of prison who shall be committed for, or found guilty of murder, or rescue or attempt to rescue any person convicted of murder going to execution, or during execution, every person so offending shall be deemed, taken and adjudged to be guilty of felony, and shall suffer death without benefit of clergy.

Penalty of rescuing the body after execution.

X. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall, after such execution had, by force rescue or attempt to rescue the body of such offender out of the custody of the sheriff or his officers, during the conveyance of such body to any of the places hereby directed, or shall by force rescue or attempt to rescue such body from the company of *Surgeons*, or their officers or servants, or from the house of any surgeon where the same shall have been deposited in pursuance of this act; every person so offending shall be deemed and adjudged to be guilty of felony, and shall be liable to be transported to some of his Majesty's colonies or plantations in *America* for the term of seven years, in like manner as is directed by the laws now in force relating to the transportation of felons; and shall be subject to the like punishment and methods of conviction, in case of returning into, or being found at large within *Great Britain*, within the said term of seven years, in all respects, as by law other felons are subject to, in case of unlawfully returning from transportation.

This act not to extend to 11 Geo. 1. c. 26.

XI. Provided always, and it is hereby enacted by the authority aforesaid, That nothing herein contained shall extend to repeal or alter so much of an act made in the eleventh year of his late Majesty's reign (intituled, *An act for the more effectual arming the Highlands in that part of Great Britain called Scotland and for the better securing the peace and quiet of that part of the kingdom*) as relates to the suspension of the execution of persons convicted of capital offences within that part of Great Britain called *Scotland*, for the respective times in the said act mentioned any thing herein before contained to the contrary notwithstanding.

## CAP. XXXVIII.

An act for the more easy and speedy recovery of small debts within the borough of St. Albans, in the county of Hertford, and the several towns, parishes, wards, hamlets, and places within the liberty of St. Albans.

## CAP. XXXIX.

*An act to obviate doubts that may arise upon an act made and passed in the eleventh and twelfth years of the reign of his late majesty King William the Third, intituled, An act to enable his Majesty's natural born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding their father or mother were aliens.*

**W**HEREAS in and by an act of parliament made and passed in the eleventh and twelfth years of the reign of his late majesty King William the Third, intituled, An act to enable his Majesty's natural born subjects to inherit the estate of their ancestors, either lineal or collateral, notwithstanding their father or mother were aliens; it is enacted, That all and every person or persons, being the King's natural-born subject or subjects, within any of the King's realms or dominions, should and might thereafter lawfully inherit and be inheritable, as heir or heirs, to any honours, manors, lands, tenements or hereditaments, and make their pedigrees and titles by descent from any of their ancestors, lineal or collateral, although the father and mother, or father or mother, or other ancestor of such person or persons by, from, through, or under whom he, she or they should or might make or derive their title or pedigree, were or was, or should be born out of the King's allegiance, and out of his Majesty's realms or dominions, as freely, fully and effectually, to all intents and purposes, as if such father or mother, or fathers or mothers, or other ancestor or ancestors by, from, through, or under whom he, she or they should or might make or derive their title or pedigree, had been naturalized or natural-born subjects: and whereas many doubts and inconveniences may arise upon the said recited act, in case of persons gaining capacities to inherit and derive their pedigrees by virtue of the said recited act, after the deaths of their ancestors to whom they claim to be heirs, whereby estates well vested by descent, mortgages, purchases, and settlements duly made, may be defeated: for remedy whereof be it enacted and declared by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That the said act shall not extend, or be deemed, taken, or construed to be extended to give any right, or title to any person or persons to inherit as heir or heirs, or coheir or coheirs, to any person dying intestate of any manors, lands, tenements or hereditaments, or possession, reversion or remainder, by enabling any such person or persons to claim or derive his, her or their pedigree through, or under such ancestor or ancestors, unless the person or persons so claiming or deriving his, her, or their title as heir or heirs, None to inherit by the recited act, but such as shall be in being at the death of the ancestor who shall die seized.

heirs, coheir or coheirs, was or were, or shall be in being, and capable to take the same estate as heir or heirs, coheir or coheirs, by virtue of the said statute, at the death of the person who shall so last die seised of such manors, lands, tenements or hereditaments, and to whom he, she or they shall so claim to be heir or heirs, coheir or coheirs, by force of the said statute.

If the descent shall be cast upon a daughter,

and the alien father, &c. shall afterwards have a son, the daughter to be divested,

and where no son, the daughters afterwards born in his Majesty's dominions shall jointly inherit.

II. Provided always, and be it enacted by the authority aforesaid, That in case the person or persons who shall be in being, and capable to take at the death of the ancestor so dying seised of any such honours, manors, lands, tenements or hereditaments, and upon whom the descent shall be cast by virtue of this act, or of the said recited act, shall happen to be a daughter or daughters of an alien, and that the alien father or mother, through whom such descent shall be derived by such daughter or daughters, shall afterwards have a son born within any of his Majesty's realms or dominions; the descent so cast upon such daughter or daughters shall be divested in favour of such son; and such son shall inherit and take the estate in like manner as is allowed by the common law of this realm in cases of the birth of a nearer heir; or in case such father or mother shall have no son or sons, but shall have one or more daughter or daughters afterwards born within any of his Majesty's realms or dominions, the daughter or daughters so born afterwards shall inherit and take in coparcenary with the daughter or daughters upon whom the descent shall be cast at the death of the ancestor last seized; any thing in this act contained to the contrary in any wise notwithstanding.

### C A P. XL.

*An act for the application of a sum of money therein mentioned, granted to his Majesty, for making compensation and satisfaction to the royal African company of England, for their charter, lands, forts, castles, slaves, military stores, and all other their effects whatsoever; and to vest the lands, forts, castles, slaves and military stores, and all other their effects in the company of merchants trading to Africa; and for other purposes in the act mentioned.*

**W**HEREAS his late majesty King Charles the Second, by his royal charter or letters patent, under the great seal of England, bearing date the twenty seventh day of September in the twenty fourth year of his reign, in consideration of the surrender of a former grant in the said letters patent recited, did give and grant unto certain persons therein named, all and singular the regions, countries, dominions, territories, continents, coasts and places, lying and being within the limits and bounds in the said letters patent mentioned, that is to say, Beginning at the port of Sally in South Barbary, inclusive, and extending from thence to cape de bona Esperanza, inclusive, with all the islands near adjoining to those coasts, and comprehended within the limits aforesaid: which regions, countries, dominions, territories, continents, coasts and places, and islands, had been theretofore

fore called or known by the name of South Barbary, Guinny, Biny or Angola, or by ſome or any other name or names, and which were or had been reputed, eſtimated or taken to be part, parcel, or member of any country, region, dominion, territory or continent, within the limits aforeſaid; and all and ſingular ports, harbours, creeks, iſlands, lakes and places in the parts of Africa, to them or any of them belonging; or being under the obedience of any King, ſtate or potentate of any region, dominion or country, within the limits aforeſaid, to hold from the making the ſaid letters patent for the term of one thouſand years, ſubject to ſuch conditions and reſervations as therein mentioned; and did in and by the ſaid letters patent, incorporate the ſeveral perſons therein named, by the name of The Royal African Company of England, and did declare ſuch grant and demiſe to be in truſt to and for the ſole uſe, benefit and behoof of the royal African company of England, therein and thereby ſo incorporated, and their ſucceſſors; and whereas the ſaid royal African company of England have, ſince the granting the ſaid charter, been at a very conſiderable expence in rebuilding and enlarging ſeveral of their forts and caſtles on the coaſts aforeſaid, and have there erected, built and purchaſed, ſeveral ~~new~~ forts: and whereas by an act of parliament made and paſſed in the twenty third year of the reign of his preſent Majesty, intituled, An act for extending and improving the trade to Africa, a new company was eſtabliſhed by the name of The Company of Merchants trading to Africa; and the better to uphold, maintain and defend all ſuch forts, factories and ſettlements, on the coaſt of Africa, as then were erected, or thereafter ſhould be thought neceſſary to be erected, for the ſecuring and better carrying on the ſaid trade; it was enacted, among other things, That all and every the Britiſh forts, ſettlements and factories, on the coaſt of Africa, beginning at cape Blanco, and extending from thence to the cape of Good Hope incluſive, and all other the regions, countries, dominions, territories, continents, coaſts, ports, bays, rivers and places, lying and being within the aforeſaid limits, and the iſlands near adjoining to thoſe coaſts, and comprehended within thoſe limits, which then were claimed by, or were in the poſſeſſion of the ſaid royal African company of England, or which might be thereafter in the poſſeſſion of the company thereby eſtabliſhed, ſhould from and after the paſſing of an act of parliament for diſſolving the ſaid African company of their ſaid charter, forts, caſtles, military ſtores, canoe men, caſtle ſlaves, and all other their property on the coaſt of Africa (their goods and merchandizes only excepted) be abſolutely veſted in the ſaid new company eſtabliſhed by the ſaid act, and their ſucceſſors, to the intent and purpoſe that the ſaid forts, ſettlements and premiſſes ſhould be employed at all times thereafter only for the protection, encouragement and defence of the ſaid trade; and it was by the ſaid act further enacted, That the accountant general of the high court of chancery for the time being, and ſuch two of the other maſters of the ſaid court as the lord high chancellor of Great Britain for the time being, or lord keeper of the great ſeal of Great Britain for the time being, or the lords commiſſioners for the great ſeal of Great Britain for the time being, ſhould from time to time nominate for that purpoſe, ſhould be, and they



24 Geo. 2.  
c. 49.

they were thereby conſtituted and appointed commiſſioners for examining into the claims of the creditors of the ſaid royal African company, and to inquire and ſtate how and when the ſame were reſpectively incurred, in ſuch manner as in and by the ſaid act is directed, together with their opinion of the juſtneſs and reaſonableneſs of ſuch debts reſpectively, and to lay accounts of their proceedings before the parliament with all convenient ſpeed: and whereas the commiſſioners appointed by and in purſuance of the ſaid act did lay accounts of their proceedings before the parliament the laſt ſeſſion, but ſeveral claims of ſeveral of the company's officers and ſervants abroad, for ſalaries due to them, or for goods ſold and delivered, and for monies laid out and expended for the ſaid company's uſe, for want of proper vouchers from abroad could not be examined into within the time preſcribed for that purpoſe by the ſaid act: and whereas by an act of parliament made and paſſed in the twenty fourth year of the reign of his preſent Maſteſty, intituled, An act for allowing further time to the commiſſioners appointed by and in purſuance of an act of the twenty third year of his preſent Maſteſty's reign, intituled, An act for extending and improving the trade to Africa, to inquire into the claims of certain creditors of the royal African company therein mentioned, and for the relief of David Crichton, and for ſtrengthening the ſaid company from diſpoſing of ſuch of their effects as are therein mentioned; and for ſtaying all ſuits for money due from or on account of the ſaid company for the time therein mentioned; it was enacted among other things, That all and every the powers, and authorities in and by the ſaid above recited act of the twenty third year of the reign of his preſent Maſteſty granted to and veſted in the ſaid commiſſioners appointed by or in purſuance of the ſaid act for enabling them to examine into the claims, of the creditors of the ſaid company, and ſtating the ſame, with their opinion thereon, ſhould, for the purpoſes of examining into and ſtating the claims therein particularly mentioned, and no other, be and continue in full force until the twelfth day of January one thouſand ſeven hundred and fifty two, and the ſaid commiſſioners, or any two of them, were thereby authorized and required, from and after the twenty fourth day of June, one thouſand ſeven hundred and fifty one, to proceed with all convenient ſpeed upon the examination of the ſeveral claims of the ſeveral perſons thereafter named; and the ſaid commiſſioners were thereby required to cloſe and finiſh their examination of all the ſaid claims on or before the twelfth day of January then next enſuing, and to lay accounts of their proceedings before the parliament with all convenient ſpeed: and whereas the ſaid commiſſioners have laid accounts of their proceedings, under the ſaid laſt recited act, before the parliament: and whereas ſeveral other ſums of money are due and owing to ſeveral other perſons from the ſaid royal African company: and whereas captain Thomas Pye, commander of his Maſteſty's ſhip Humber, did, in purſuance of directions given him by the commiſſioners for executing the office of lord high admiral of Great Britain for that purpoſe in the year one thouſand ſeven hundred and forty nine, take a ſurvey of the forts and caſtles of the ſaid royal African company of England, on the coaſt of Africa, and of the quantity, number and quality of cannon and their military ſtores,

noe men, caſtle ſlaves, canoes and veſſels then at each reſpective fort, which belonged to the ſaid royal African company of England, a particular account of which ſurvey is expreſſed and ſet forth in the firſt ſchedule to this act annexed, and whereas the ſaid royal African company of England are willing to ſurrender all and ſingular their lands, forts, caſtles, ſettlements, cannon, military ſtores, canoe men, caſtle ſlaves, canoes and veſſels, together with the ſaid charter, books of account, papers, contracts and agreements, and all their property, eſtate, intereſt, and effects whatſoever, for ſuch compenſation and ſatisfaction, and to be applied in ſuch manner as herein after is expreſſed and directed; be it therefore enacted by the King's moſt excellent Maſtey, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That the royal African company of England, from and after the tenth day of April one thouſand ſeven hundred and fifty two, ſhall be, and they are hereby abſolutely diveſted of and from their ſaid charter, lands, forts, caſtles and military ſtores, canoe men, caſtle ſlaves, and all other their eſtate, property and effects whatſoever; and that all and every the Britiſh forts, lands, caſtles, ſettlements and factories on the coaſt of Africa, beginning at Port Sally, and extending from thence to the cape of Good Hope incluſive, which were granted to the ſaid company by the ſaid charter, or which have been ſince erected or purchaſed by the ſaid company; and all other the regions, countries, dominions, territories, continents, coaſts, ports, bays, rivers and places lying and being within the aforeſaid limits, and the iſlands near adjoining to thoſe coaſts, and comprehended within the limits deſcribed by the ſaid charter; and which now are, or at any time heretofore have been in the poſſeſſion of or claimed by the ſaid royal African company of England, together with the cannon and other military ſtores, canoe men, caſtle ſlaves at and belonging to the ſaid forts, caſtles, ſettlements and factories, particularly mentioned and ſet forth in the ſaid firſt ſchedule to this act annexed (ſuch ſtores as have been made uſe of in the ſervice of the forts, and ſuch canoe men and ſlaves, as may have died ſince the taking of the ſaid ſurvey, only excepted) and alſo all contracts and agreements made by or for, or on the behalf of the ſaid royal African company, with any of the kings, princes or natives of any of the countries or places on the ſaid coaſts; and all other the property, eſtate and effects whatſoever of the ſaid royal African company ſhall, from and after the ſaid tenth day of April one thouſand ſeven hundred and fifty two, be veſted in, and the ſame and every of them are and is hereby fully and abſolutely veſted in the ſaid corporation called and known by the name of The company of merchants trading to Africa, and their ſucceſſors, freed and abſolutely diſcharged of and from all claims and demands of the ſaid royal African company of England, and their creditors, and every of them, and of all and every perſon or perſons claiming under them, or any or either of them.

The African company divested of their charter, forts, &c.

and the ſame veſted in the company of merchants trading to Africa.

II. Provided always, and it is hereby enacted, That the di-

C c 2

No other powers con-

ferred than  
what are  
granted by  
23 Geo. 2.  
c. 31.

vesting the said royal *African* company of *England* of their charter, and vesting the said forts, settlements and factories, and all other the before-mentioned premises in the said company of merchants trading to *Africa*, shall not extend, or be construed to extend to give the said company of merchants trading to *Africa*, or their committee, any other right, privileges or powers, than such as are given to the said company of merchants, and their committee, by the said recited act made and passed in the twenty third year of the reign of his present Majesty.

III. *And whereas it appears that a certain island situate in the river Sierra Leon, on the said coast of Africa, called Bance Island, with a fort and buildings thereon, having been formerly in the possession of the said royal African company, was in the year one thousand seven hundred and twenty eight deserted by the said company and their agents; and the said fort for some time past has been, and is now in the possession of Alexander Grant, John Sargent and Richard Oswald of London merchants, who have disbursed a considerable sum in the preservation and improvement of the said island and fort; and for which it is just and reasonable they should receive a recompence; be it therefore enacted, That they the said Alexander Grant, John Sargent and Richard Oswald shall be at liberty, notwithstanding this present act, to continue in the quiet possession of the said island, fort and buildings thereon, and that the same shall from henceforth continue, and be absolutely vested in them the said Alexander Grant, John Sargent and Richard Oswald, their heirs and assigns, to and for their own use and benefit; any thing herein, or in any former act or acts of parliament contained to the contrary thereof in any wise notwithstanding.*

Bance island  
vested in  
Alexander  
Grant, John  
Sargent and  
Richard  
Oswald;

Provido that  
they grant  
not the same  
to foreigners.

IV. Provided always, That it shall not be lawful for them the said Alexander Grant, John Sargent and Richard Oswald, or any of them, or their heirs or assigns, to demise, grant or alienate their right and interest therein, to any person or persons whatsoever, being foreigners.

The new com-  
pany, with the  
consent of the  
commission-  
ers for trade,  
may raise mi-  
litary forces,

V. Provided always, and it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the said company of merchants, and their successors, or their committee for the time being, by and with the consent and approbation of the said commissioners for trade and plantations, or the majority of them, to authorize and empower such persons, as they shall think fit, at any of the said forts, castles, settlements and factories, or elsewhere in *Africa*, to raise, arm, train and muster such military forces, as to them shall seem requisite and necessary; and to execute and use within the said forts, castles, factories and settlements, such rules and regulations for the defence of the said places, and for the punishment of offences committed within the same, as from time to time shall be given them, by the said company of merchants or their committee, by and with the consent and approbation of the said commissioners for trade and plantations, or the majority of them, so as such punishment shall not extend to the loss or deprivation of life or limb; and that it shall and may be lawful for the persons autho-

1752.]

Anno vicesimo quinto GEORGII II. C. 40.

389

ized as aforesaid, in any cases where it shall be thought proper, to send over in confinement, the person or persons of any offender or offenders, to be here tried according to the laws of this kingdom.

VI. And for the more effectual encouragement of merchants that shall trade unto or reside in the places aforesaid; be it enacted by the authority aforesaid, That it shall and may be lawful, to and for the said company of merchants trading to *Africa*, or their committee, by and with the consent and approbation of the said commissioners for trade and plantations, or the majority of them, to erect, constitute and establish a court or courts of judicature, to be held at such place or places, fort or forts, plantations or factories, upon the said coast, as the said company shall from time to time direct and appoint, for hearing and determining all causes, the matter or matters whereof shall arise there, on account of mercantile or maritime bargains, buying, selling or bartering of wares; or bills, bonds, or promises for payment of money, or mercantile or trading contracts, made, transacted or entered into upon the said coast, concerning any person or persons residing within the bounds and limits aforesaid. and erect courts.

VII. Provided nevertheless, and be it enacted by the authority aforesaid, That His Majesty, his heirs and successors, shall have full power at his will and pleasure, from time to time, by his or their sign manual, to revoke all such powers which shall be given to any persons, for raising, arming and training the military forces, and all such rules and regulations, as shall be given or established, and to grant all military powers on the said *African* coast, and establish such rules and regulations as he or they shall from time to time think fit; and also to revoke and repeal all such courts of justice, as shall be erected; and to erect and establish such other courts of justice there, as he or they shall from time to time think fit. His Majesty may revoke any of the powers, and establish other regulations, &c.

VIII. And be it further enacted by the authority aforesaid, That all the contracts and agreements which have been made by the said royal *African* company of *England*, with any of the Kings, princes or natives of any of the countries or places on the said coast; and also all deeds, writings, evidences or muniments, books of account, and all papers of what kind or nature soever, belonging, or which did belong, to the said company, shall, on or before the said tenth day of *April* one thousand seven hundred and fifty two, be delivered over by the said royal *African* company of *England*, or their officers, servants, agents and all other persons, who have or shall have the custody of them, or any of them, to the said company of merchants trading to *Africa*, together with an inventory of the books, contracts, agreements, deeds, writings and evidences above-mentioned, to be by them kept and preserved, for the benefit and protection of the said trade, forts and settlements; and the said company of merchants trading to *Africa* are, from time to time, to produce to the commissioners hereafter mentioned, such of the stock ledger, Former contracts, &c. to be delivered over to the new company. Stock ledger and transfer books to be produced to

the commis-  
sioners.

ledger, and transfer books, of the said royal *African* company as they shall require.

112,142 l. 3 s.  
3 d. to be ap-  
plied out of  
the supplies,  
as a satisfac-  
tion to the  
old company,

IX. And for making a full compensation and satisfaction to the royal *African* company of *England*, for their said Charter, lands, forts, castles, slaves, military stores, books, papers, and all other their effects whatsoever; be it enacted by the authority aforefaid, That out of all or any the aids or supplies granted to his Majesty in this session of parliament, there may and shall be applied and paid the sum of one hundred and twelve thousand one hundred and forty two pounds three shillings and three pence, without account, to such persons and in such proportions; and in such manner, as is herein after particularly directed and appointed.

whereof  
1,695 l. 3 s. to  
be paid to the  
commission-  
ers to state  
the claims of  
the creditors.

X. And it is hereby further enacted by the authority aforefaid, That out of the said sum of one hundred and twelve thousand one hundred and forty two pounds three shillings and three pence, the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, do issue and pay, or cause to be issued and paid, the sum of one thousand six hundred and ninety five pounds and three shillings, to *Richard Edwards* esquire, and *Edmund Sawyer* esquire, two of the masters of the high court of *Chancery*, and *John Wimple* esquire, one other of the masters, and also accountant general of the said court; being the commissioners appointed to examine and state the claims of the creditors of the said royal *African* company, by an act of parliament of the twenty third year of the reign of his present Majesty, for their trouble, and in satisfaction of the expences of executing the said commission.

34,652 l. 12 s.  
7 d. to the  
creditors set  
forth in the  
second sche-  
dule.

XI. And it is hereby further enacted by the authority aforefaid, That out of the said sum of one hundred and twelve thousand one hundred and forty two pounds, three shillings and three pence, the further sum of eighty four thousand six hundred and fifty two pounds, twelve shillings and seven pence, be distributed and paid to the several creditors mentioned and set forth in the second schedule to this act annexed, in the respective sums and proportions in the said schedule mentioned, in full satisfaction of all and every their demands.

22,688 l. 15 s.  
5 d. to the  
persons nam-  
ed in the  
third sche-  
dule.

XII. And it is hereby further enacted by the authority aforefaid, That out of the said sum of one hundred and twelve thousand one hundred and forty two pounds, three shillings and three pence, the sum of twenty three thousand six hundred and eighty eight pounds, fifteen shillings and five pence, be paid and divided so and amongst the persons named in the third schedule to this act annexed, in the sums and proportions therein mentioned, being such of the proprietors of *African* transferable stock, as were possessed of the same on the thirty first day of *December* in the year of our Lord one thousand seven hundred and forty eight, the same being computed to be at and after the rate of ten pounds *per centum* on the said stock, so possessed by

them at that time, in full of all their right and title to the ſame, or any part thereof.

XIII. And be it further enacted by the authority aforeſaid, That the ſum of two thouſand one hundred and five pounds, twelve ſhillings and three pence, reſidue of the ſaid ſum of one hundred and twelve thouſand one hundred and forty two pounds three ſhillings and three pence, be paid and divided to and amongſt the perſons named in the fourth ſchedule to this act annexed, in the ſums and proportions therein mentioned, being ſuch of the proprietors of *African* transferrable ſtock, as have become poſſeſſed of the ſame ſince the ſaid thirty firſt day of *December* one thouſand ſeven hundred and forty eight, being computed to be at and after the rate of five pounds, *per centum* on the ſtock ſo poſſeſſed by them, in full of all their right and title to the ſame, or any part thereof.

XIV. And be it further enacted by the authority aforeſaid, That from and after the ſaid tenth day of *April* one thouſand ſeven hundred and fifty two, the ſaid royal *African* company of *England* ſhall ceaſe to be a corporation, and be incapable of doing or exerciſing any corporate act; and all claims and demands againſt the ſaid company, or any of their officers, agents, or ſervants, or other perſon or perſons, for or in reſpect of any debt due, or pretended to be due from, or contracted for or on the behalf of the ſaid company, are hereby declared to be null and void; and if any action, ſuit or proceſs is now depending, or ſhall hereafter be commenced or proſecuted for any ſuch claims or demands as aforeſaid, then and in ſuch caſe, it ſhall and may be lawful to plead the general iſſue, and give this act in evidence in bar thereto; and if the plaintiff be nonſuited, or verdict paſs againſt him, or judgment be given on demurrer, the defendant ſhall have full coſts.

XV. And be it further enacted by the authority aforeſaid, That the ſaid *Richard Edwards* eſquire, and *Edmund Sawyer* eſquire, two of the maſters of the high court of *Chancery*, and *John Waple* eſquire, one other of the maſters, and alſo accountant general of the ſaid court, or ſuch other of the maſters of the high court of *Chancery* as may be hereafter appointed in purſuance of this act, ſhall be, and they are hereby, conſtituted and appointed commiſſioners for the making out and delivering certificates to all and every the creditors of the ſaid royal *African* company of *England*, and the proprietors of their ſtock, in the ſaid ſchedules particularly mentioned, and for other the purpoſes in this act contained, for the ſpace of two years, to be computed from the firſt day of *January* one thouſand ſeven hundred and fifty two; and the ſaid commiſſioners or any two of them, are hereby impowered and required, with all convenient ſpeed, to make out under their hands, or the hands of two of them, and to deliver, or cauſe to be delivered, to all and every the creditors of the ſaid company mentioned in the ſecond ſchedule to this act annexed, and to the ſeveral proprietors of *African* transferrable ſtock mentioned in the third and fourth ſchedules to this act annexed,

Certificates may include any number of creditors, under 100l.

nexed, in respect of the sums in and by this act directed to be paid to them respectively, certificates of what is due or allowed to them respectively as aforesaid, and to take proper receipts for the same, in full satisfaction of all their claims and demands on the said company; in which said certificates, and each and every of them, it shall and may be lawful to and for the said commissioners to include as many of the said creditors and proprietors, whose demands shall be respectively under the sum of one hundred pounds, as they shall think fit; and shall and may make all and every such their respective certificates in the name or names of the attorney or attorneys of the said creditors or proprietors, for their use; provided such letters of attorney shall be executed in the presence of one or more of the said commissioners, or in such manner as they shall direct.

Creditors dying, or declared bankrupt, certificate to be delivered to the executors or assignees.

XVI. And be it further enacted by the authority aforesaid, That in case any of the said creditors, proprietors or other persons, as aforesaid, are now dead, or hath been duly declared bankrupt, or shall, before the making out and delivering of such certificates as herein before directed, happen to die, or be duly declared bankrupt, then the said commissioners, or any two of them, shall deliver, or cause to be delivered, to the executors or administrators of such creditor, proprietor or other person, as aforesaid, so dead or dying, as aforesaid, or to the assignee or assignees of the estate and effects of such creditor, proprietor or other person, as aforesaid, so declared, or to be declared, bankrupt as aforesaid, the certificate or certificates herein directed to be made out as aforesaid, and to which such creditor, proprietor or other person, as aforesaid, would have been respectively intitled.

Creditors to deliver up on oath to the commissioners all securities.

XVII. And be it further enacted by the authority aforesaid, That all and every the said creditors of the said company, and proprietors of their stock, on receipt of the certificates herein before directed to be made out and delivered to them respectively, shall and do, upon their respective corporal oaths, which the said commissioners, or any two of them, are hereby authorized to administer for that purpose, produce and deliver up to the said commissioners, or any two of them, as aforesaid, all and singular the bonds, bills, notes, receipts or other securities whatsoever, relating to their respective debts, which at the time of the examination of the claims of the said respective creditors by the said commissioners, were produced before them, or which, at the time of receiving the said certificates, shall be in the hands, custody, power or possession of the said creditors respectively, or of any person or persons in trust for them; which said several bonds, bills, notes, receipts or other securities, so to be produced and delivered up as aforesaid, the said commissioners, or any two of them, are hereby impowered and required forthwith to cancel and destroy, and the said commissioners are hereby impowered to stop and retain the certificate or certificates of such creditor or creditors, as shall not deliver up the securities to their satisfaction or as they shall require.

XVII. An.

XVIII. And be it further enacted by the authority aforesaid, That for the purposes aforesaid, all and every the said creditors of the said company, and the said proprietors of *African* transferable stock, or the executors or administrators of such of them as are dead, or may hereafter die, or the assignees of such of them as are or may be duly declared bankrupt, shall attend the said commissioners on such days and times, and at such places within the cities of *London* or *Westminster*, or the suburbs thereof, as the said commissioners, or any two or more of them, shall from time to time appoint; of which notice shall be given in the *London Gazette*.

XIX. And be it further enacted by the authority aforesaid, That the commissioners of his Majesty's treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, are hereby authorized and empowered on tender to them of the certificates herein before directed to be made out by the said commissioners, or any two of them, to issue and pay, or cause to be issued and paid, to the person or persons named in the said certificates, the several sums in the said certificates respectively contained.

XX. And be it further enacted by the authority aforesaid, That in case of the death of two of the said commissioners, or of any other commissioner to be hereafter appointed, by and in pursuance of this act, such other master or masters of the said court of *Chancery*, as the lord high chancellor of *Great Britain* for the time being, or lord keeper of the great seal of *Great Britain* for the time being, or the lords commissioners for the great seal of *Great Britain* for the time being, shall from time to time nominate for that purpose, shall be, and he or they is and are hereby constituted and appointed a commissioner or commissioners for the purposes in this act contained; and the said commissioners are hereby required to lay accounts of their proceedings before the parliament.

XXI. And it is hereby further enacted by the authority aforesaid, That the said company of merchants trading to *Africa*, and their successors, shall and do, and they are hereby required, with all convenient speed, to sell and dispose of all and every the goods, wares and merchandize of the said royal *African* company of *England*, which now are or hereafter shall come to the hands, custody or possession of the said company of merchants, their agents, officers or servants, (the military stores, slaves, canoes and vessels, in the first schedule to this act annexed, excepted) for the best price that can be got for the same; and that the said company of merchants do every session of parliament, until the whole shall be disposed of, lay before both houses of parliament an account of the disposition of the said goods, wares and merchandize.

XXII. And it is hereby further enacted, That the said commissioners shall and may take for each certificate from the parties obtaining

Creditors to attend the commissioners according to notice in the London Gazette.

Treasury to pay the certificates.

On death of commissioners others to be appointed.

Proceedings to be laid before parliament.

The effects of the old company to be sold,

and the amount to be laid before parliament.

Allowances to the commissioners for



obtaining the same, a sum not exceeding the rate of two pounds *per centum*, upon the money contained therein, where the sum shall not be more than one hundred pounds; and a sum not exceeding one pound *per centum*, where the money contained therein is above one hundred pounds, and not exceeding one thousand pounds; and a sum not exceeding ten shillings *per centum*, where the money contained therein does exceed one thousand pounds; which respective sums, and no more, the said commissioners shall and may demand, and take, in full recompence for all trouble and expences which they, their clerks, agents or servants, shall be at in the execution of the powers thereby given them.

XXIII. *And whereas at a general meeting of the creditors of the said royal African company, held the fourth day of March which was in the year of our Lord one thousand seven hundred and forty seven, the following creditors, to wit, Robert Myre of London merchant, William Mills of London merchant, and John Leapidge of London stationer, with others, were chosen and appointed by the said creditors to solicit a satisfaction, for the just debts due and owing to all the creditors of the said company: and whereas it is just and reasonable that all the said creditors should contribute to the charges and expences of such solicitation, and also to a proportionable part of the charges and expences of obtaining and passing the said act of the last session of parliament, and this present act; be it further enacted by the authority aforesaid, That each and every creditor of the said company, whose name is expressed in the second schedule to this act annexed, shall pay to the said Robert Myre, William Mills, and John Leapidge, or one of them, a contribution at and after the rate of two pounds per centum, for or upon the sum in the said schedule expressed, to be allowed to him or her respectively, to be by them the said Robert Myre, William Mills, and John Leapidge, applied in payment of all such charges and expences, as they on behalf of themselves, and the rest of the said creditors, have been or shall be at in soliciting and obtaining the satisfaction aforesaid, and in re-payment of all such contributions as have been heretofore paid by the said creditors, or any of them, to them the said Robert Myre, William Mills, and John Leapidge, or any of them, and also in payment of a proportionable part of the charges and expences of obtaining the said act of parliament passed the last session, and of the charges and expences of passing this present act, in such manner as shall be adjudged and directed by the said commissioners, or any two of them, in writing under their respective hands; and no one of the said creditors shall have, or be intitled to have, a certificate of or for his or her said debt or claim from the said commissioners, or any of them, by virtue of this act, until he or she shall produce to such commissioners, a note in writing under the hands of the said Robert Myre, William Mills, and John Leapidge, or one of them, expressing the receipt of the said contribution, and the said Robert Myre, William Mills, and John Leapidge, shall on or before the tenth day of May which shall be in the year*

Creditors to  
pay 2 l. per  
cent. to Ro-  
bert Myre,  
William Mills,  
and John  
Leapidge, for  
soliciting  
their debts.

year of our Lord one thousand ſeven hundred and fifty four, or within three calendar months next after all the contributions aforeſaid ſhall have been paid in as aforeſaid (if the ſame ſhall be ſooner paid) lay and ſubmit an account thereof, and of their payments and diſbursements, in writing under their hands, before the ſaid commiſſioners for their examination and allowance; and ſhall diſpoſe of the ballance then remaining in their hands (if any) in ſuch manner as the ſaid creditors at a general meeting to be ſummoned for that purpoſe, by advertiſement in the *London Gazette*, or the major part in value of the creditors preſent at ſuch meeting, ſhall reſolve, agree or direct.

XXIV. *And whereas there is a conſiderable ſum of money due to William Newland, the ſolicitor of the royal African company, for his fees, labour and diſbursements in divers ſolicitations, for and on account of the ſaid company, in their general buſineſs ſince the one and thirtieth day of December one thouſand ſeven hundred and forty nine: and whereas it is juſt and reaſonable, that all the proprietors of the transferrable ſtock of the ſaid company, ſhould contribute to a proportionable part of the charges and expences of obtaining and paſſing the ſaid act of the laſt ſeſſion of parliament, and alſo of this preſent act; be it therefore enacted by the authority aforeſaid, That each and every proprietor of the ſaid company, whoſe names are expreſſed in the third and fourth ſchedules to this act annexed, ſhall pay to John Vaughan eſquire, Solomon Aſhley eſquire, Bibye Lake, eſquire, captain Thomas Collett, and Samuel Exell gentleman, or one of them, a contribution at and after the rate of two pounds per centum, for and upon the reſpective ſums in the ſaid reſpective ſchedules expreſſed, to be payable to the perſons therein mentioned, to be by them the ſaid John Vaughan eſquire, Solomon Aſhley eſquire, Bibye Lake eſquire, captain Thomas Collett and Samuel Exell gentleman, applied in payment of ſuch ſums of money as are now due to the ſaid William Newland, on the account before mentioned; and in payment of a proportionable part of the charges and expences of obtaining the ſaid act of parliament paſſed the laſt ſeſſion, and of the charges and expences of paſſing this act, in ſuch manner as ſhall be adjudged and directed by the ſaid commiſſioners, or any two of them, in writing under their reſpective hands; and no one of the ſaid proprietors ſhall have or be intitled to have a certificate, of or for his or her ſaid ſhare and proportion from the ſaid commiſſioners, or any of them, by virtue of this act, until he or ſhe ſhall produce to ſuch commiſſioners a note in writing under the hands of the ſaid John Vaughan eſquire, Solomon Aſhley eſquire, Bibye Lake eſquire, captain Thomas Collett and Samuel Exell gentleman, or one of them, expreſſing the receipt of the ſaid contribution; and the ſaid John Vaughan eſquire, Solomon Aſhley eſquire, Bibye Lake eſquire, captain Thomas Collett and Samuel Exell gentleman, ſhall, on or before the tenth day of May one thouſand ſeven hundred and fifty four, or within three calendar months next after all the contributions aforeſaid ſhall have been paid in as aforeſaid, (if the ſame ſhall be ſooner paid) lay an account thereof, and of*

Proprietors of transferrable ſtock to pay 2l. per cent. to be applied in payment of the company's ſolicitor, &c.

After the contributions are paid in, an account there-

of, and of the their payments and disbursements, in writing under their hands, disburse- before the said commissioners, for their examination and allow- ments, to be ments, to be made; and shall dispose of the balance then remaining in their laid before the hands (if any) in such manner as the said proprietors of a gene- commissioners. ral meeting to be summoned for that purpose, by advertisement in the *London Gazette*, or the major part of them in value, present at such meeting shall direct and appoint.

XXV. And it is hereby further enacted by the authority afore- said, That if any action or actions shall be commenced or brought against any person or persons, for what he or they shall do or cause to be done in pursuance of this act, then, and in every such case, such person or persons shall and may plead the General issue. general issue, and give this act and the special matter in evidence; any law or usage to the contrary thereof, in any wise notwithstanding.

XXVI. And be it further enacted by the authority afore said, That this act shall be taken and deemed to be a publick act, Publick act. and shall be judicially taken notice of as such, by all judges, justices, and other persons whatsoever, without specially pleading the same.

*The First SCHEDULE referred to in this Act.*

An Account of the Cattle Slaves, Canoe Men, Military Stores, Canoes and Vessels belonging to the Royal African company of England, at their several Forts on the Coast of Africa according to the Surveys made by the Order of Thomas Pye, Esquire, Commander of his Majesty's Ship *Humber*, in the Year 1749.

### Cape Coast Castle.

[illegible]

Names of Fort	Cattle Slaves.	N <sup>o</sup>	Guns.	Pound.	Where mounted.	Shot.	N <sup>o</sup>	Powder.	Musquets	N <sup>o</sup>	Military Stores.	N <sup>o</sup>	Vessels.	N <sup>o</sup>
Commenda	Donb Boy	1	7	3	S. W. Battalion	From 9 Pound ers to 2 Pound.	800	390lb.	Musquets Bayonets- Car- touch Boxes Buck- aneer Guns Danes Guns	6 6 10	Granado Shells Formers Copper Ladles Swords Fathom 2 1/2 in Rope Lead Ball Gun Flints Iron Bairs	42 6 2 6 30	13 hand Canoe 7 hand Do 5 hand Do 3 hand Do	1 1 1 1 1
	Sawyers	10	3	3	S. E. Battalion.									
	Women	6	2	6										
	Children	5	1	4										
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Name of Fort.	Cattle Slaves.	No	Guns.	Point.	Where mounted.	Shot.	No	Powder.	Musquets	No	Military forces	N <sup>a</sup>	Vessels.
Tantumquerry.	Men --- Women ---	6 4	2 1 1 2 1	4 1 9 4 4	S. E. Battalion. S. W. Battalion. N. E. Battalion. S. W. Battalion. Unfireable in the Tower. N. B. All hardly fit for use.	From 1 pound-er to 9 pounds.	241 }	3 C. wt.	Danes Guns. } Cutlasses-- }	6 3	Granadoes -- Copper Ladles- Worms--- Country Match Powder Horn	30 1 5 20 1	None.
Winnebaw.	Men --- Women ---	8 5	2 1 1 1 1 1 3 2	3 4 8 6 4 4 3 1	S. E. Battalion. S. W. Battalion. N. E. Battalion. N. W. Battalion. Platform. Over the Gate.	From 3 pound-er to 6 pounds.	197 }	2 C. wt.	Muf- quets with bayo- netsand flings Swords---	5 5	Hand Gra- nadoes --- All sorts of military fores wanting	8	None.
Accord.	Men --- Women --- Children --- Canoe men ---	7 15 4 6	3 1 2 2 3 2 8 6	6 9 4 6 4 9 4 3	N. W. Battalion. N. E. Battalion. S. W. Battalion. S. E. Battalion. Platform.	From 1 pound er to 9 pound ers.	600 }	5 C. wt.	Musquets-	6	Hand Gra- nadoes --- Spunges --- Worms --- Copper Ladles	50 3 8 1	7 hand Canoe } 5 hand Do } 3 hand Do }

N <sup>o</sup>	Vents.	N <sup>o</sup>	Military Stores.	N <sup>o</sup>	Musquets	Powder.	N <sup>o</sup>	Shot.	Where mounted.	Pound.	Guns.	N <sup>o</sup>	Cattle Slaves.	Names of Forts.
2	{ Eleven hand Canoe, bad }	6 2	Copper Ladles Worms----	56	Musquets Bun- dles }	240 lb.	} 380	From 2 pound- ers to 9 pound- ers }	S. W. Battalion.	{ 3 4 2 }	7 2 2 7 2 2 1	33 46 27 12	Men----- Women----- Children---- Canoe Men--	
				5					S. E. Battalion.	3 6 4 4 9 3 3 6 4 4				
									N. E. Battalion.	{ 3 4 3 }				
									N. W. Battalion.	{ 3 6 6 }				
									Parade.	4 4 4 4				

*James Island, Gambia.*

Sawyers—	4	5	6	N. W. Battalion,	Of seven-	Barrels,	Match—	0	Sloops, 20
Carpenters—	4	2	4	one of the 4	ral dif-	No 12,	Hand-fukes-	17	tons each
Smiths—	4	4	6	pounders out of	ferent	Musquet	Rammer.	9	Guns
Macons—	2	5	6	4 pounders very	Sizes	Cartridge	heads	0	and 5
For all Uses—	43	1	4	bad, and 2		200.	very	0	Long Boats
Sick—	5	5	6	Guns wanting.			bad re-	0	Canoes—
	5	1	4	S. W. Battalion, 1			pair	2	
	1	4	4	Gun wanting.			Coe horns		
	4	4	4	N. Half ?					
	1	12	12	Moou.					
	3	9	9	W. Half					
	2	24	24	Moou.					
	15	0	0	Swivels un-					
	8	0	0	mounted.					
				Not fit for use.					

**Q N. B.** *The Gun Carriages in good Repair, the Trucks most of them Iron; but in want of all Military Store, except what is mentioned under that Article.*

*The Second SCHEDULE referred to in this ACT.*

	l.	s.	d.	
To George Arnold eſquire, and company, the ſum of 1321 l. 15 s. and alſo the ſum of 500 l. making together the ſum of —	1821	15	0	6

*The Third SCHEDULE referred to in this ACT.*

	Stock.		The ſum of
	l.	s.	d.
To John Aſh of Alderbroke, for	6	17	6
	0	13	9

*The Fourth SCHEDULE referred to in this ACT.*

	Stock.		The ſum of
	l.	s.	d.
To Solomon Aſhley eſquire, James Street, Weſtminſter, for —	350	0	0
	17	10	0

## CAP. XLI.

*An act for annexing certain forfeited eſtates in Scotland to the crown unalienably; and for making ſatisfaction to the lawful creditors thereupon; and to eſtabliſh a method of managing the ſame; and applying the rents and profits thereof for the better civilizing and improving the high-lands of Scotland, and preventing diſorders there for the future.*

**W**HEREAS by an act made in the twentieth year of his Ma-<sup>20 Geo. 2.</sup> jeſty's reign, (intituled, An act for vetting in his Maſteſty the c<sup>41.</sup> eſtates of certain traitors; and for the more effectually diſcovering the ſame; and applying the produce thereof to the uſe of his Maſteſty; and for aſcertaining and ſatiſfying the lawful debts and claims thereupon) it is (among other things) enacted, That in caſe his Maſteſty, his heirs and ſucceſſors, ſhall not make effectual proviſion for the payment and ſatiſfaction of all ſuch debts and claims upon the eſtates real and perſonal, by the ſaid act veſted in his Maſteſty, as ſhall be decreed to be juſt and lawful, in the manner by the ſaid act directed, within the ſpace of twelve months after the ſame ſhall be reſpectively adjudged, then it ſhall be lawful for the barons of the court of exchequer in Scotland, or any three of them, and they are hereby required to ſell, or cauſe to be ſold, ſo much of the eſtates of the attainted perſons, as they ſhall judge neceſſary to be ſold for ſatiſfaction of the debts and claims affecting the ſame, and apply the money ariſing by the ſale thereof reſpectively, in diſcharge of the ſeveral debts or claims to which they ſhall be adjudged to be liable: provided nevertheless, That if his Maſteſty, his heirs or ſucceſſors, ſhall, after the expiration of the ſaid time, make effectual proviſion for the payment or ſatiſfaction of all the debts or claims upon any ſuch eſtate, and ſhall, before the ſame is ſold, by warrant or warrants under his or their ſign manual, at any time or times, direct any ſuch eſtates



20 Geo. 2.  
c. 50.

20 Geo. 2.  
c. 51.

Certain forfeited estates annexed to the crown unalienably.

*estates not to be sold, then the said barons shall not proceed in the sale of any estates so prohibited to be sold: and whereas by another act of the twentieth year of the King, (intituled, An act for taking away the tenure of wardholding in Scotland, and for converting the same into blanch and feu-holdings; and for regulating the casualty of non-entry in certain cales; and for taking away the casualties of single and life-rent escheats incurred there, by horning and denunciation for civil causes; and for giving to heirs and successors there, a summary process against superiors; and for discharging the attendance of vassals at head courts there; and for ascertaining the services of tenants there; and for allowing heirs of tailzie there, to sell lands to the crown for erecting buildings, and making settlements in the highlands) upon a recital that it hath been, and may be found necessary for the publick service, to erect buildings, and make settlements in certain places in the highlands of Scotland; it is enacted, That it shall and may be lawful for any person who is seized in, or possessed of, a tailzied estate in Scotland, to sell, dispose or resign, ad perpetuam remanentiam, any part thereof, which his Majesty, his heirs and successors, shall think fit to purchase, for erecting of buildings, or making settlements within the same, and by one other act of the same year of the King, (intituled, An act to enlarge the time limited by an act of the last session of parliament, for restraining the use of the highland dress, and to enable heirs of tailzie, guardians, tutors, curators, and trustees in Scotland, to sell lands to the crown) upon a recital that it may be necessary for the preservation of the publick peace, and the further civilizing of the inhabitants of the highlands of Scotland, that lands should be purchased there by his Majesty, his heirs and successors, which lands may be subject to strict tailzie, or belong to infants, pupils, minors, ideots, lunaticks, fatuous or furious persons; it is enacted, That it shall and may be lawful for any person who is seized in, or possessed of, a tailzied estate in Scotland, or for any guardian, tutor, curator or trustee of an infant, pupil, minor, ideot, lunatick, fatuous or furious person, to sell, dispose or resign, ad perpetuam remanentiam, the whole or any part of such tailzied estate, or the estate of such infant, pupil, minor, ideot, lunatick, fatuous or furious person, which his Majesty, his heirs or successors, may think fit to purchase for the purposes aforesaid; which lands so purchased shall remain in his Majesty, his heirs and successors, unalienable for ever, except as to the power of granting leases for seven years, with a diminution of a fifth part of the usual rent only: and whereas to prosecute more effectually the good purposes intended by the said in part recited acts, in or der to strengthen the foundations of the future tranquility of this kingdom, it is necessary that some farther provisions and regulations be made; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal and commons in this present parliament assembled, and by the authority of the same, That all and every the lands, lordships, baronies, patronages, tithes, fishings, and other like heritages, which became forfeited to his Majesty by the attainder of the several persons after named of high treason, for*

for their being engaged in the late unnatural and wicked rebellion and which were veſted in his Maſteſty by the above-mentioned act of the twentieth year of his reign: that is to ſay, the lands and other premiſſes which became forfeited by the attainder of *Simon* late lord *Lovat*; *John Drummond*, taking upon himſelf the ſtile or title of lord *John Drummond*, brother to *James Drummond*, taking on himſelf the title of duke of *Perth*; *George* late earl of *Cromarty*; and *Archibald Mac Donald*, ſon of *Col Mac Donald* of *Barrisdale*; as the ſame lands, lordſhips, baronies, and other premiſſes, are more particularly enumerated and deſcribed in the title-deeds, rights and infeoffments of the ſaid attained perſons, or their predeceſſors, or in the ſurveys already taken, or hereafter to be taken thereof, by the barons of *exchequer* in *Scotland*, in purſuance of the powers given to them by the aforeſaid act of the twentieth year of the King, by which the ſaid forfeited eſtates were veſted in his Maſteſty, ſhall, together with all the parts and pertinentſ of the ſame, from and after the twenty fifth day of *December* one thouſand ſeven hundred and fifty two, be, and be deemed to be, annexed to the imperial crown of this realm, and ſhall be and remain for ever unalienable from the ſame; and all grants, charters or other rights, made or to be made, or granted, of all or any of the ſaid lands, baronies and other premiſſes, by his Maſteſty, his heirs or ſucceſſors, excepting as is herein after excepted, ſhall be void to all intents and purpoſes.

II. Provided always, and be it enacted by the authority a-<sup>Right of</sup> foreſaid, That nothing in this act contained ſhall extend, or be <sup>claims not in-</sup> conſtrued to extend, to take away any right, title or benefit <sup>jured.</sup> whatſoever, which any perſon or perſons are, ſhall or may be intitled to, in virtue of any claim or claims that have been, or ſhall be duly entered in the court of ſeſſion in *Scotland*, purſuant to the aforeſaid act, or in virtue of any decree or decrees that hath been or ſhall be made upon ſuch claims.

III. And to the end that payment may be made to the juſt Satisfaction to and lawful creditors on the forfeited eſtates hereby annexed to be made to the crown, ſo far as the value of ſuch lands and premiſſes, <sup>creditors, ſo</sup> whereupon ſuch claim ſhall have been ſuſtained, ſhall reſpectively extend, and no further; be it enacted by the authority a- <sup>far only as the</sup> foreſaid, That actions may be brought before the court of ſeſſion, in the name of his Maſteſty's advocate, againſt ſuch creditors, which ſhall and may be ſerved againſt the defendants, under the general deſcription of the claimants upon ſuch eſtates, by one edictal citation, upon thirty days notice, to be affixed on the walls of the inner and outer houſe of the court of ſeſſion where the rolls of cauſes in that court are uſually affixed, in order to have the value of ſuch forfeited eſtates aſcertained, upon a proof brought before the ſaid court of the rental and value thereof; and in every ſuch action it ſhall and may be lawful for the creditors on the ſaid eſtates to bring a joint proof, and the ſaid lords of ſeſſion are hereby authorized and required to proceed in valuing the ſaid eſtates ſummarily, in ſetting which va-

valuation regard shall be had to the ordinary rates, at which like lands and estates have been sold in the same county; and the said lords of session shall thereafter, without loss of time, certify to the barons of exchequer in Scotland, the amount of the several claims on such forfeited estates, with the value of the lands and real estate, upon which respectively the claimants are just and lawful creditors; and in such cases where the claims that have been sustained exceed the value of the lands and other premisses out of which they ought to be paid, that the said lords of session shall at the same time certify the order of preference by which the said claims ought to be paid, to the extent of the value that shall be certified as aforesaid; and the said barons of exchequer are hereby authorized and required to transmit such certificate or certificates to the high treasurer, or commissioners of the treasury for the time being; and upon such certificate or certificates being made and transmitted, the creditors respectively shall be paid out of the then next aids to be granted in parliament, according to the order of preference specified in such certificate; so that the sum to be paid to the creditors upon each of the said estates shall not exceed the value of such estates certified as aforesaid.

Expences of the agents for the crown to be paid.

IV. Provided always, That out of the value to be certified as aforesaid, it shall and may be lawful in the first place to deduct or retain the expence that shall have been laid out by the agents for the crown, in raising and prosecuting the actions of valuation and ranking, and adjusting the schemes of division of the value among the creditors, as the same shall have been taxed and settled by the said court of session.

Decrees concerning such valuation to be final.

V. And be it further enacted by the authority aforesaid, That every such decree of the court of session concerning the valuation of such estates, or the ranking or order of preference of the creditors thereon, shall be final and binding upon all persons concerned, in case thirty days, on any of which such proceedings as are usual and competent by the laws of Scotland, for reversing or amending such decrees may be had, shall elapse without such proceedings being had, made or commenced by either party.

VI. *And whereas in such cases, wherein the claims upon the lands, and other the premisses hereby annexed, shall clearly fall short of the value of such lands and premisses upon which respectively they shall have been entered and sustained, it will not be necessary to raise and prosecute actions of valuation and ranking in the manner before prescribed; be it therefore enacted by the authority aforesaid, That in every case where the total claims upon any estate or estates shall not exceed twenty years purchase, or the clear surveyed rental, returned into the court of exchequer, of such estate or estates, the said lords of session are hereby authorized and required to certify to the barons of exchequer the amount of the claims sustained upon such estate or estates, which do not exceed the value as aforesaid; and the said barons of exchequer are hereby authorized and required to transmit such certificate*

Where the claims do not exceed 20 years purchase the same to be certified,

or certificates, and also the clear annual value of such estate, appearing by such surveyed rental as aforesaid, to the high treasurer or commissioners of the treasury for the time being; and upon such certificate or certificates being transmitted, the creditors respectively, whose claims shall have been sustained, shall be paid out of the then next aids to be granted in parliament.

and the creditors to be paid out of the next aids.

VII. *And whereas certain other lands and estates became vested in his Majesty by virtue of the before mentioned act of the twentieth year of his reign, and the attainder of high treason of the persons following, namely, Donald Cameron of Lochiel, Charles Stuart of Ardsheil, Donald Mac Donald of Kenloch Moydart, Evan Mac Pheron of Clunie, Francis Buchannan of Arnprior, Donald Mac Donald of Lochgary, Allan Cameron of Callart, Francis Farquharson of Monaltry, and Alexander Mac Donald of Keppoch; which lands and estates were holden of subject superiors, who have entered claims in the court of session to the property thereof. And whereas it would be highly conducive to the good purposes intended by this act, that the said lands and estates should remain with his Majesty, his heirs and successors:* be it therefore enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, by proper persons to be appointed for that purpose, under his or their sign manual, to transact or compound with such subject superiors, or any of them, concerning their claims to the property of the said forfeited estates held of them respectively, and also to treat and agree with the said subject superiors for the purchase of the superiority of the said lands and estates, and that the agreed prices of such superiorities, and also the sums to be paid by way of composition for such claims of property, shall be from time to time certified by the persons authorized to treat for the same on the part of the crown, to the high treasurer, or commissioners of the treasury, for the time being

Power to purchase the superiority of all other estates holden of subject superiors.

VIII. Provided always, That in every case where such superiority was subject to a strict tailzie, the monies to be paid as the price thereof shall be laid out and settled in the manner directed by the before mentioned act of the twentieth year of the King for enabling heirs of tailzie, and others in Scotland, to sell lands to the crown.

Where the superiority was subject to a strict tailzie, the purchase-money to be laid out.

IX. And be it further enacted by the authority aforesaid That in case the property of any of the said lands or estates so claimed by such subject superiors as aforesaid, shall be finally determined to be forfeited to his Majesty, or such subject superior shall be agreed or compounded with for such claim in manner herein before mentioned; then and in either of the said cases, until such superiorities shall be purchased as aforesaid, it shall and may be lawful to his Majesty, his heirs and successors, to vest, in such manner as shall be agreeable to the laws of Scotland, the said lands and estates held of subject superiors, or such parts of the lands and other the premises herein before annexed to the crown, as shall appear to have been formerly held of subject superiors, in one or more trustee or trustees, their heirs and suc-

Lands held of subjects to be vested in trustees.

and to be ap-  
plied as this  
act directs.

successors, to be renewed from time to time by his Majesty, his heirs and successors, and which trustee and trustees, their heirs and successors, shall, according to the forms of the law of Scotland, be from time to time entered and received vassals in the lands, and other the premises by the respective superiors thereof, and shall hold the same in trust for the uses and purposes of this act; and the said lands and estates, with all the rents, issues and profits thereof, shall be disposed of, and applied to the uses and purposes in this act mentioned, and to none other, and shall be under the same management, and subject to the same rules, orders and directions, and the same provisions for payment of the lawful debts thereon shall take place, that are by this act made concerning the other lands and estates hereby annexed to the imperial crown of this realm.

Heirs of such  
trustees not to  
incur the pas-  
sive titles, &c.

X. Provided always, That the heirs of such trustee or trustees by making up titles to such trust estates, shall not incur the passive titles, nor represent their predecessors universally; any law or custom to the contrary notwithstanding.

Trustees may  
be changed.

XI. Provided also, That his Majesty, his heirs and successors, may change such trustees, at his or their pleasure, and present new ones from time to time, who shall be received by the immediate superiors respectively for the time being, without payment of a year's rent, or any other composition.

Such super-  
riorities as  
shall be for-  
feited,

XII. And be it further enacted by the authority aforesaid, That whensoever the property of any of the lands or estates so claimed by any subject superior, shall have been finally determined to be forfeited to his Majesty, or such subject superior, shall have been agreed or compounded with for the same as aforesaid; and also the superiority of such lands shall have been purchased by his Majesty, his heirs or successors, then the lands and estates, whereof the superiorities are so purchased, shall both property and superiority be from that time annexed to the imperial crown of this realm, and shall remain for ever unalienable from the same.

or purchased  
to be annexed  
unalienably to  
the crown.

XIII. And whereas the barony of Strowan, and other the lands, tenements and hereditaments which formerly belonged to Alexander Robertson of Strowan, now deceased, became forfeited to the crown, by decree or sentence of forfeiture past in the parliament of Scotland, in the year one thousand six hundred and ninety, and now belong to and remain the property of his Majesty: be it further enacted by the

The barony of  
Strowan an-  
nexed to the  
crown.  
Debts thereon  
to be paid.

authority aforesaid, That the said barony and lands be and are hereby annexed to the imperial crown of this realm, and shall be and remain for ever unalienable from the same, and the lawful debts thereon shall be paid in the same manner as is provided concerning the lands and premises before mentioned

The rents of  
the said estates  
how to be ap-  
plied.

XIV. And be it further enacted by the authority aforesaid, That the clear rents and produce of the lands and estates hereby annexed to the crown, or directed to be held in trust as aforesaid, shall be applicable in the manner herein after mentioned, or in such other manner as his Majesty, his heirs or successors shall from time to time, by warrants under his or their sign manual,

manual, be pleased to direct, to the purposes of civilizing the inhabitants upon the said estates, and other parts of the high-lands and islands of *Scotland*, the promoting amongst them the protestant religion, good government, industry and manufactures, and the principles of duty and loyalty to his Majesty, his heirs and successors, and to no other use or purpose whatsoever.

XV. And to the end that the said lands and estates may be managed, and the produce thereof applied in the most beneficial manner for the ends and purposes aforesaid; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty, his heirs and successors, by commission under the privy seal of *Scotland*, to authorize and empower such person or persons as his Majesty, his heirs and successors shall think fit, from time to time, to be commissioners and trustees for managing the said estates, and applying the produce thereof for the ends and purposes appointed by this act.

Commissioners to be appointed by the crown,

XVI. Provided always, and be it enacted by the authority aforesaid, That no commissioner to be appointed for executing the trusts in this act as aforesaid, shall receive any fee, salary, pension or reward for the same.

XVII. And be it further enacted by the authority aforesaid, That the commissioners to be appointed as aforesaid, shall have power to grant leases of the said estates, or any part thereof, for any term not exceeding twenty one years; or if the lessee shall enter into proper covenants to lay out upon the premises any sum not less than five years rent, in buildings or other improvements, within the space of seven years from the date of such lease, then, and in such case, and upon such condition, for any term not exceeding forty one years; all which leases shall be subject to the provisions, conditions and limitations herein after mentioned, and such other as his Majesty, his heirs and successors shall, from time to time, by his or their sign manual, direct and appoint.

Commissioners may grant leases.

XVIII. Provided always, That upon every such lease there shall be reserved not less than three fourths of the real annual value of the premises so let; and that every lease to be granted by such commissioners, shall contain a clause for making the same void, in case the lessee, or his or her heirs shall assign or let the premises, or any part thereof, to any other person, or shall suffer the same to be adjudged at the suit of any creditor, or shall not occupy, cultivate and be resident upon the premises, or shall pay or cause to be paid, directly or indirectly, to or for the use of any person or persons whatsoever, any gratuity or fine, or any annual rent or prestation, for or in consideration of his obtaining or holding the lands or other premises comprehended in such lease, other than the rent in such lease expressed and covenanted to be paid to the said commissioners for the purposes in this act directed.

Condition of the leases.

XIX. Provided also, That every such lease shall be absolutely void, unless the lessee shall, before the making thereof, have taken the oaths requisite by law to qualify persons to execute offices.

Leases void, unless the lessee take the oaths.

None to hold  
lands above  
the rent of  
20 l.

Commission-  
ers may sue  
for the rent,  
and breach of  
covenant.

Commission-  
ers with ap-  
probation of  
the treasury  
may appoint  
receivers.

Factors to be  
appointed.

Penalty on  
factors taking  
any gratuity.

Commission-  
ers with ap-  
probation of  
the treasury,  
may appoint

offices of publick trust in *Scotland*, at the quarter-sessions of the county where the premises lie, or before the sheriff depute, or his substitute; and that no person shall be capable of taking or enjoying, directly or indirectly, any lands or tenements, other than mines or fishings, by virtue of such lease or leases, of greater annual rent than twenty pounds at the utmost.

XX. And be it further enacted by the authority aforesaid, That the said commissioners shall and may have power and authority to bring actions in their own names, either in the court of session or sheriffs court, not only for payment of the rents into the hands of the factors appointed for levying the same, but also for breach and non-performance of the several covenants contained in the leases, under which the lands shall be possessed.

XXI. And be it further enacted by the authority aforesaid, That the said commissioners shall and may have power, by and with the approbation of the high treasurer, or commissioners of the treasury for the time being, to appoint stewards, receivers or factors on the said estates, with an allowance not exceeding five pounds *per centum* of the rental, who shall be bound respectively, with one or more sufficient surety or sureties, in a sum not less than two years rent of the estate to be put under their collection, to account to the said commissioners for the full rents of such estates, and to pay in the clear residue thereof to his Majesty's receiver general of the crown rents and casualties in *Scotland*, after deduction and allowance of the publick burthens and necessary charges of management; and upon their so accounting and paying in the residue of the rent as aforesaid, the said commissioners are hereby impowered to grant acquittances or discharges to such factors from time to time.

XXII. Provided always, That the said commissioners shall have power to appoint persons to officiate as factors in the interim, until the factories granted by them shall be approved or disapproved of by the high treasurer or commissioners of the treasury as aforesaid.

XXIII. And be it further enacted by the authority aforesaid, That if any steward, receiver or factor on the said estates, shall, during the continuance of his office, by himself or by any other person whatever on his account, directly or indirectly take, accept or receive from any of the tenants or possessors of such estates, any money, gift, present, service or other gratuity whatsoever, to the use of such factor, he shall incur the penalty of fifty pounds sterling, *toties quoties*, one moiety thereof to the use of his Majesty, and the other to any person who shall sue for the same, to be recovered by summary petition or complaint, upon fifteen days notice before the court of session, or before the sheriff's court of the county.

XXIV. And be it further enacted by the authority aforesaid, That the said commissioners shall be, and are hereby impowered, by and with the approbation of the high treasurer, or of the commissioners of the treasury for the time being, to ap-  
point

point clerks and other necessary officers, with proper and reasonable salaries: and that the said commissioners shall cause such lands to be surveyed, and proper plans to be made thereof, setting forth the extent and different qualities of the grounds, the several advantages and disadvantages arising from their situation, and what improvements may be made upon the same; which, with all other their proceedings, shall be entered in books to be by them kept for that purpose, and a faithful abstract thereof shall by them be reported annually, or oftner if required, to the high treasurer, or the commissioners of the treasury for the time being, who shall cause copies of such reports to be laid before both houses of parliament in every session.

clerks, &c. and cause survey to be made.

XXV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, where any one or more of the estates aforesaid comprehend whole parishes, belonging in property to the crown, which they shall judge to be of too large an extent to be under the charge of one minister, to divide such parishes into two or more, by warrant or grant to be passed under the privy seal of Scotland, which shall prescribe the bounds of the new erected parishes, and grant competent provisions to the ministers of such parishes, to be paid out of the present maintenance for the minister of the old parish, and the remainder out of the rents of the said estates, but so as the stipend to be settled on one minister shall not exceed fifty pounds sterling *per annum*, in money or value; and upon production of such grant before the commissioners for plantation of kirks and valuation of tythes, they are hereby required and impowered to interpose their authority thereto, in such manner as to render the provision thereby made effectual to the ministers serving the cure in such new erected parishes.

Where estates comprehend whole parishes, the crown may divide the same into more parishes;

with a stipend to the minister.

XXVI. Provided always, That the patronage of such new erected parishes, whereof the stipend shall be wholly, or the greater part thereof paid out of the rents of the said estates, shall belong to and for ever remain united to the crown; saving and reserving to all persons their rights and titles to the tythes of such old parishes, and to the patronage of the disjoined or new parishes to the minister whereof the old stipend shall be allocated, as the whole or greater part of his provision; and also saving and reserving to the incumbent for the time being, when such division or new erection shall be made during his incumbency, the stipend or maintenance he shall then be possessed of, although the same should exceed fifty pounds sterling in money or value.

Patronage of such new parishes to belong to the crown, &c.

Reservation of tythes, &c.

XXVII. And whereas it may happen that other persons may have interest or property in some of the parishes which his Majesty, his heirs or successors, may judge proper to be divided; be it enacted by the authority aforesaid, That all such new divisions or erections of parishes, in which other persons besides his Majesty shall have an interest, either as heretors, patrons or titulars of the tythes in the parish or parishes to be disjoined, or in the new parish to be

The new erections of such parishes, in which other persons have



an interest, to  
be settled.

be erected, shall be made by authority of the court of commission for plantation of kirks and valuation of tythes in *Scotland*, upon an action to be raised and pursued in the name and at the instance of his Majesty's advocate for *Scotland*, and which he is hereby enabled to raise and carry on, whether any of the other heretors who have an interest in the said disjunction and new erection shall consent or not, and which court of commission shall have power, and is hereby required to settle and determine, according to the rules of law and justice, all such questions, debates and controversies as may arise touching the said new erections; and every such decree of the said court of commission shall be final and binding upon all parties concerned, in case thirty days, on any of which such proceedings as are usual and competent by the laws of *Scotland* for reversing or amending such decrees may be had, shall elapse, without such proceedings being had, made or commenced by any of the parties therein concerned.

Crown may  
erect schools;

XXVIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for his Majesty, his heirs and successors, to erect publick schools on the said estates, or in other parts of the highlands or islands of *Scotland*, for instructing young persons in reading and writing the *English* language, and in the several branches of agriculture and manufactures, and to erect houses for the reception of such young persons, and for carrying on such manufactures by them, and for the accommodating such masters as shall be appointed by the said commissioners to instruct and teach them, and to apply such parts of the produce of the said estates as shall be necessary for erecting such schools, providing competent salaries for such teachers, and for the cloathing and maintaining such young persons, and for supplying such schools with utensils and materials for agriculture and manufactures, and for the raising of flax, and for such other like uses as by his Majesty, his heirs or successors shall be thought proper for promoting the purposes aforesaid.

and empower  
the commissi-  
oners to allot  
or purchase  
lands to the  
use thereof;

XXIX. And be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, to empower the said commissioners to allot portions of land out of the said estates to the use of such schools as may be erected on the said estates, or to apply such part of the clear rent of such estates as his Majesty, his heirs and successors shall think proper, in the purchase of portions of land to be allotted to the use of such schools as shall be erected in other parts of the highlands or islands of *Scotland*.

and to grant  
lands to be  
held feu of the  
crown, for  
building hou-  
ses, and for  
gardens, &c.

XXX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to his Majesty, his heirs and successors, to authorize and empower the said commissioners to grant out in property such parts and portions of ground, not exceeding ten acres to one person, as may be sufficient for building convenient dwelling-houses, out-houses and gardens, to persons well affected to his Majesty's person and government, and who shall be duly qualified by taking the oaths to the govern-  
ment,

ment, who shall oblige themselves to erect buildings, and make gardens thereupon; which portions of ground shall be by the grantees held feu of his Majesty, his heirs or successors, for payment of a yearly feu duty, equal to such a proportion of the rent as the said commissioners shall find to correspond to the ground to be feued out by them: and in respect that such small feus cannot bear the charges of passing the seals, and other charges necessary for making out the titles of lands held of the crown; it shall and may be lawful to his Majesty, his heirs and successors to authorize and empower the said commissioners to grant charters, containing precepts of sasine, to be held feu of his Majesty as aforesaid, and also to grant all charters, precepts of *Clare constat*, and other writings necessary for entering their heirs and singular successors.

XXXI. Provided always, That any person who shall reside in any dwelling-house erected upon any portion of land, which shall have been granted for that purpose in manner as aforesaid, shall, during his residence in such house, be capable of holding a lease from the said commissioners of any other part of the said estates, within the distance of five miles from such house, subject to all the other conditions and limitations of this act; any thing herein before contained to the contrary notwithstanding.

XXXII. *And whereas it hath been found a great obstruction to the course of justice in the highlands, that many parts thereof are far remote from any royal burgh or county gaol;* be it further enacted by the authority aforesaid, That it shall and may be lawful for his Majesty, his heirs and successors, by and out of the rents and profits of the lands and estates aforesaid, to cause prisons to be erected and maintained on such parts of the aforesaid lands, or other parts of the highlands or islands of *Scotland* as they shall think fit, for the custody of prisoners for crimes or offences; and that such prisons so erected shall be held to be lawful prisons for the purpose aforesaid; and the commissioners to be named as aforesaid, are hereby empowered to appoint gaolers for keeping of such prisons, and to assign them reasonable wages, to be paid by the factors on such estates, with proper allowances from time to time, for the maintenance of indigent prisoners; and the said commissioners are hereby further empowered to appoint baillies over the said estates, or any village or district thereof; which baillies shall have all the powers over such estates, that are now by law competent to baron baillies, and shall further have power to commit offenders to the next sure prison within the county, although not within the territory of such baillie himself.

XXXIII. And be it further enacted by the authority aforesaid, That his Majesty's receiver general for *Scotland* shall reserve the monies that shall come into his hands out of the rents of the said estates, for answering such orders as shall be made upon him by the said commissioners, in pursuance of the powers that shall be granted, and the warrants and directions that shall be given to them from time to time by his Majesty, his

Persons residing in such houses, may hold leases of other parts of the estates.

Crown may erect prisons.

Commissioners may appoint gaolers,

and baillies.

Rents to be reserved to answer the orders of the commissioners.

heirs and ſucceſſors, concerning the application of the rents of the ſaid eſtates, for the ends and purpoſes aforeſaid, and for no other ends or purpoſes whatſoever.

Till the claims be determined the treaſury may apply the rents for defraying the expence of managing the eſtates.

XXXIV. Provided always, and be it enacted by the authority aforeſaid, That until the final determination of the claims that have been or ſhall be duly made or entered in the court of ſeſſion in *Scotland* to or upon the aforeſaid eſtates, it ſhall and may be lawful for the high treaſurer, or commiſſioners of the treaſury for the time being, to cauſe to be applied ſo much of the rents and profits of the eſtates aforeſaid as they ſhall find neceſſary for defraying the expences of management thereof, and of litigating and diſcuſſing ſuch claims; any thing herein contained to the contrary notwithstanding.

### C A P. XLII.

*An act to render valid and effectual all contraſts and agreements which ſhall be made by the commiſſioners or governors of the royal hoſpital for ſeamen at Greenwich, for the purchaſe of lands, tenements and hereditaments, for the finiſhing and compleating the ſaid hoſpital; and for aſcertaining the recompence that ſhall be made for the ſame.*

3 Geo. 2. c. 29.

WHEREAS by an act of parliament made and paſſed in the eighth year of the reign of his preſent Maſteſty, intituled, An act for the application of the rents and profits of the eſtates forfeited by the attainders of James late earl of Derwentwater, and Charles Radcliff, the commiſſioners or governors of the royal hoſpital for ſeamen at Greenwich were required to contraſt and agree with able and ſufficient tradesmen, artiſiers, or other perſons, for finiſhing and compleating the ſaid royal hoſpital in a workman-like manner, on the eaſieſt and moſt reaſonable terms, according to the plan laid before the houſe of commons in that ſeſſion of parliament: and whereas one parcel of land on the weſt ſide of the ſaid hoſpital, whereon a ſmall houſe lately ſtood, in the occupation of Benjamin Hopkins, barber, and commonly known by the name of Carr's Houſe, containing at the ſouth end eleven feet ſix inches, at the north end ten feet ſeven inches, on the eaſt ſide fifteen feet five inches, and on the weſt ſide fourteen feet eleven inches, be the ſame more or leſs; and one other parcel of land on the eaſt ſide of the ſaid hoſpital, whereon ſeveral houſes formerly ſtood, belonging to the truſtees of Morden College, and now in the poſſeſſion of the ſaid commiſſioners or governors of the ſaid hoſpital, are neceſſary to be purchaſed, in order to finiſh the ſaid royal hoſpital according to the ſaid plan; which by reaſon of infancy, and other diſabilities, the commiſſioners or governors of the ſaid royal hoſpital have not been able to purchaſe: may it therefore pleaſe your moſt excellent Maſteſty, that it may be enacted; and be it enacted by the King's moſt excellent maſteſty, by and with the advice and conſent of the lords ſpiritual and temporal and commons in this preſent parliament aſſembled, and by the authority of the ſame, That it ſhall and may be lawful to and for the commiſſioners or governors of the ſaid royal hoſpital, or any ſeven or more of them,

Governors impowered to contract for

them, to purchaſe, and alſo for all bodies politick, corporate or the purchaſe  
 collegiate, corporations aggregate or ſole, mortgagee and mort- of the lands  
 gagees, truſtee and truſtees, teoffee and feoffees, in truſt for any before deſcri-  
 charity, or otherwiſe, guardian or guardians, committee or com-  
 mittees, of any infant, idiot or lunatick, and all executors and  
 adminiſtrators, and other perſons whatſoever, not only for and  
 on behalf of themſelves, their heirs and ſucceſſors, but alſo for  
 and on behalf of their ceſtuique truſts, and the reſpective mort-  
 gagor and mortgagors, and other perſon and perſons intitled to  
 any equity of redemption, who are or ſhall be leiſed or poſſeſſed  
 of, or intereſted in, all or any of the premiſſes herein before  
 deſcribed, or any part or parts thereof, to convey the ſame reſ-  
 pectively to the ſaid commiſſioners or governors of the ſaid  
 royal hoſpital, or any ſeven or more of them, or to ſuch perſon  
 or perſons as the ſaid commiſſioners or governors, or any ſeven or  
 more of them, ſhall appoint, in truſt for the commiſſioners or go-  
 vernors of the ſaid royal hoſpital: and that all contracts, agreements,  
 bargains, ſales and conveyances, which ſhall be made by ſuch  
 perſons as aforeſaid, ſhall be good and valid in law, to all intents  
 and purpoſes, not only to convey the eſtate and intereſt of the  
 perſon and perſons conveying, but alſo to convey all right, eſ-  
 tate, intereſt, uſe, equity of redemption, property, claim and de-  
 mand whatſoever, of their ſeveral and reſpective ceſtuique truſts,  
 whether infants, or iſſue unborn, lunaticks, ideots or ſeines  
 covert, or other perſons whatſoever, and all claiming or to claim  
 by, from or under them, or any of them: and the ſaid pre-  
 miſſes ſo conveyed ſhall be, and are hereby declared to be veſt-  
 ed in the ſaid commiſſioners or governors, or in ſuch perſon or  
 perſons as by the ſaid commiſſioners or governors, or any ſe-  
 ven or more of them, ſhall be ſo appointed as aforeſaid, from  
 the time of ſuch conveyance made in fee-ſimple, freed and diſ-  
 charged of all claims, demands and equity of redemption, of  
 any perſon or perſons, either at law or in equity; any law, ſta-  
 tute, uſage or other matter or thing to the contrary thereof in  
 any wiſe notwithstanding: and that all ſuch perſons as aforeſaid,  
 ſo conveying as aforeſaid, are and ſhall be indemnified for what  
 they do, or ſhall do, by virtue of or in purſuance of this act: Where parties  
 and if it ſhall happen that any perſon or perſons, bodies politick reſuſe totreat,  
 or collegiate, or other perſon or perſons, leiſed or poſſeſſed of or &c.  
 intereſted in the ſaid two parcels of land and premiſſes before  
 particularly deſcribed, or any part or parts thereof, upon notice  
 to them given, or left in writing at the dwelling houſe or houſes,  
 or place or places of abode of ſuch perſon or perſons, or of the  
 head officer or officers of ſuch bodies politick, corporate or col-  
 legiate, or at the houſe of the tenant in poſſeſſion of the ſaid  
 parcels of land reſpectively; or, in caſe the ſame be unte-  
 nanted, by affixing the ſame on ſome notorious part there-  
 of, ſhall for the ſpace of twenty one days after ſuch notice  
 given, left or affixed, as aforeſaid, reſuſe or delay to treat and  
 agree for the ſale and conveyance thereof, or of their reſpect-  
 ive eſtates and intereſts therein, with the ſaid commiſſioners or  
 governors,

a jury is to be  
impanelled.

Jury may view  
the place in  
question;

governors, or any seven or more of them, or with any person, or persons authorized by them or any seven or more of them, or shall refuse to produce a title to such of the premises before described as they are in possession of, or to the interest they claim, to the satisfaction of the said commissioners or governors, or any seven or more of them; that then and in every such case it shall and may be lawful to and for the said commissioners or governors, or any seven or more of them, and they are hereby empowered and authorized to issue a warrant or warrants, precept or precepts, directed to the sheriff of the county of *Kent*, for the time being, who is hereby authorized, directed and required accordingly to impanel, summon and return a competent number of honest, substantial and disinterested persons, qualified to serve on juries, not less than twenty four, nor more than forty eight; and out of such persons so to be impanelled, summoned and returned, a jury of twelve persons shall be drawn by the said commissioners or governors or any seven or more of them, or by some person to be by them, or any seven or more of them, for that purpose appointed, in such manner as juries for the trial of issues in his Majesty's courts at *Westminster*, by an act made in the third year of the reign of his present Majesty, intituled, *An act for the better regulation of juries*, are directed to be drawn; which persons so to be impanelled, summoned and returned as aforesaid, are hereby required to come and appear before the said commissioners or governors, or any seven or more of them, at such time and place as in such warrant or warrants, precept or precepts, shall be directed and appointed; and to attend there from day to day till discharged by the said commissioners or governors, or any seven or more of them; and all parties concerned shall and may have their lawful challenges against any of the said jurymen, but shall not be at liberty to challenge the array, for affinity or any other cause whatsoever; and the said commissioners or governors, or any seven or more of them, are hereby authorized by precept or precepts, under their hands, from time to time, as occasion shall require, to call before them all and every person and persons whatsoever, who shall be thought proper or necessary to be examined as a witness or witnesses before them, on their oath or oaths, or on their solemn affirmation, if the persons or persons so to be examined be of the profession of the people called *Quakers*, touching and concerning the premises; and the said commissioners or governors, or any seven or more of them, if they think fit, shall and may likewise authorize the said jury to view the place or places, or matters in question, in such manner as they shall direct; and the said commissioners or governors, or any seven or more of them, shall have power to adjourn such meeting from day to day, as occasion shall require; and to command such jury, witnesses and parties, to attend until all such affairs for which they were summoned shall be concluded; and the said jury upon their oaths (which oaths, as also the oaths or solemn affirmation to each person or persons as shall be called upon to give evidence, the said commissioners

or governors or any seven or more of them, are hereby authorized and impowered to administer) shall inquire of the value of such premises before particularly described, and shall assess the sum or sums to be paid for the purchase thereof respectively; and the said commissioners or governors, or any seven or more of them, shall and may give judgement for such sum and sums of money so to be assessed; which said verdict or verdicts, and the said judgment, decree or determination thereupon, (notice in writing being given to the person or persons interested, at least twenty days before the time of such assessment, declaring the time and place of the meeting of the said commissioners or governors, and jury, by leaving such notice at the dwelling-house of such person or persons, or at his, her or their usual place or places of abode, or with some tenant or occupier of the said parcels of land intended to be valued and assessed, or by fixing such notice on some notorious place on the same premises, in case the premises are untenanted, and such party cannot be found in the said county of *Kent* to be served with such notice) shall be binding and concluding, to all intents and purposes whatsoever, against the King's majesty, his heirs and successors, and all and every other person and persons, bodies politick and corporate, claiming any estate, right, title, use, trust, equity of redemption or interest in, to or out of all or any of the premises before particularly described, either in possession, reversion, remainder or expectancy, or otherwise howsoever; and the said verdicts, judgements and decrees so to be made, given and pronounced as aforesaid, shall be fairly written on parchment, and signed and sealed by any seven of the commissioners or governors present at the making and pronouncing the same; and such verdicts, judgements and decrees of the said commissioners or governors, and juries, shall be transmitted to and kept amongst the records of the quarter-sessions for the county of *Kent*; and shall be deemed and taken to be records to all intents and purposes whatsoever; and the same, or true copies thereof, shall be taken to be good and effectual evidence and proof in any court of law or equity whatsoever; and all persons may have recourse to the same *gratis*, and take copies thereof, paying for every copy, not exceeding two hundred words, six pence, and so in proportion for any greater or less number of words.

and assess the sum to be paid for the purchase, &c.

The judgment of the commissioners and verdict of the jury to be binding;

and entered among the records of the sessions, &c.

II. And it is hereby further enacted and declared, That upon payment of such sum or sums of money so to be awarded or adjudged for the purchase of the said premises, or any part thereof, the person or persons intitled thereto shall make and execute, or procure to be made and executed, good, valid and legal conveyances, assignments and assurances in the law, to the said commissioners or governors, or any seven or more of them, shall appoint, in trust for the said commissioners or governors, of the said premises, for which such sum or sums of money were so awarded; and shall procure all necessary parties to execute such conveyances, assignments and assurances; and shall do all acts, matters and things, necessary or requisite to make a clear

Conveyance to be made on payment of the sum awarded.

If the title  
ſhall not be  
evinced, or  
good convey-  
ance made,

or the party  
cannot be  
found, &c.

the purchaſe  
money to be  
paid into the  
bank;

and the right  
to veſt in the  
truftees.

clear, good and perfect title to, or in truſt for, the ſaid commiſſioners or governors; and ſuch conveyances, aſſignments and aſſurances, ſhall contain all ſuch reaſonable and uſual covenants as ſhall, on the part of the ſaid commiſſioners or governors, be required; and in caſe any ſuch perſon or perſons, to whom ſuch money ſhall be awarded as aforeſaid, ſhall not evince a title to the ſaid premiſſes to the ſaid commiſſioners or governors, and make, or procure to be made, good and legal conveyances thereof, or ſhall reſuſe ſo to do, being thereunto required, ſuch ſum and ſums of money ſo awarded as aforeſaid, being ready to be paid to him, her or them, on making ſuch title and executing and procuring to be executed ſuch conveyances, aſſignments or aſſurances as aforeſaid, and for that purpoſe tendered at the council chamber of the ſaid royal hoſpital at *Greenwich*; or if in caſe any perſon or perſons intitled to the premiſſes, for which ſuch ſum or ſums of money ſhall be ſo awarded as aforeſaid, cannot be found in the ſaid county of *Kent*; or in caſe that by reaſon of diſputes depending in any court of law or equity, or for defect of evidence, it ſhall not appear to the ſaid commiſſioners or governors, or any ſeven or more of them, what perſon or perſons is or are intitled to the premiſſes in queſtion; that then, and in all and every or any ſuch caſe and caſes as aforeſaid, it ſhall and may be lawful to and for the ſaid commiſſioners or governors, or any ſeven or more of them, to order ſuch ſum or ſums of money ſo awarded as aforeſaid, as the value of, and purchaſe money for, the ſaid premiſſes, to be paid into the bank of *England*, for the uſe of the parties intereſted in the ſaid premiſſes, to be paid to them, and each and every of them, according to their reſpective eſtates and intereſts in the ſaid premiſſes, at ſuch times as the ſaid commiſſioners or governors, or any ſeven or more of them ſhall, by warrant or warrants under their hands, order and direct; and the caſhier and caſhiers of the bank of *England*, who ſhall receive ſuch ſum and ſums, is and are hereby required to give a receipt or receipts for ſuch ſum and ſums, mentioning and ſpecifying for what premiſſes, and for whoſe uſe the ſame is or are received, to ſuch perſon or perſons as ſhall pay ſuch ſum or ſums into the bank of *England* as aforeſaid; which receipt or receipts ſhall be entered on record, and regiſtered amongſt the records of the quarter ſeſſions for the county of *Kent*; and immediately on ſuch payment and regiſtry, all the eſtate, right, title, uſe, truſt, property, equity of redemption, claim and demand, in law and equity, of all and every perſon and perſons for whoſe uſe ſuch money was paid, of, in, to, from and out of the ſaid premiſſes, or any part thereof, ſhall veſt in ſuch perſon or perſons as ſhall be named for that purpoſe by the ſaid commiſſioners or governors, or any ſeven or more of them; and ſuch perſon or perſons ſhall be deemed in law to be in the actual poſſeſſion thereof, and to be ſeized thereof in fee-ſimple, freed and diſcharged from all claims, demands and equity of redemption, either at law or in equity, to all intents and purpoſes, as fully and effectually as if all and every perſon and perſons, having  
any

any eftate, right, title, truft, intereft or equity of redemption, of, in, to, from or out of the faid premiffes, had actually conveyed the fame by leafe and releafe, bargain and fale inrolled, feoffment with livery of feifin, fine and recovery, or any other conveyance whatfoever; and fuch payment fhall not only bar all right, title, intereft, equity of redemption, claim and demand, of the perfon or perfons to whole ufe fuch payment was made, but alfo fhall extend to, and be deemed and conftrued to bar the dower and dowers of the wife or wives of fuch perfon or perfons, and all eftates tail, and remainders, as fully and effectually as a fine or recovery would do or would have done, if levied by proper parties in due form of law.

III. Provided always, and it is hereby declared and enacted, That it fhall and may be lawful to and for the faid commissioners or governors, or any feven or more of them, after fuch payment into the bank, and registry as aforefaid, on the petition of any perfon or perfons in poffeffion of the premiffes, at the time the money was fo paid into the bank, to place out or inveft, or caufe to be placed out or invefted, fuch fum or fums of money, or any part thereof, in fome of the publick funds, or on government security, at intereft, in the name of the faid commissioners or governors, or any feven or more of them, or in the name or names of any perfon or perfons appointed by the faid commissioners or governors, or any feven or more of them, for that purpofe, in truft to transfer and affign the fame to fuch perfon or perfons to whom the premiffes belong, on his, her or their executing proper conveyances thereof; and in the mean time in truft to pay the intereft and dividends arifing therefrom, to fuch perfon or perfons as was or were in poffeffion of the faid premiffes at the time of the faid payment into the bank; and the faid commissioners or governors, or any feven or more of them, are hereby authorized and impowered to make fuch order as aforefaid on the bank, for the payment of fuch fum or fums of money, or any part thereof as fhall be neceffary, in order to their being fo invefted in publick securities: and the faid commissioners or governors fhall be quieted in the poffeffion of the lands and premiffes, for which fuch money is fo paid as aforefaid; and fhall not be answerable or accountable for the fame, in any court of law or equity, otherwife than according to the true intent and meaning of this act.

IV. Provided always, and it is hereby enacted and declared, That if any contract fhall be made for the purchafe of any premiffes in mortgage, or any fum or fums fhall, in a manner as before-mentioned, be affeffed or awarded as the value of fuch mortgaged premiffes, and the perfon or perfons intitled to the equity of redemption thereof cannot be found, that then, and in every fuch cafe, the money fo contracted for, or affeffed or awarded, fhall, by the faid commissioners or governors, or any feven or more of them, be vefted in any of the publick funds; and the intereft or dividends thereof fhall be paid to fuch mortgagee, until the perfon intitled to fuch equity of redemption

Where the premiffes are mortgaged, the purchafe money may be vefted in the funds, for his ufe, &c.



shall make out his title thereto; and in case any such person or persons so intitled to such equity of redemption, shall not, within five years next after the investing such monies in the publick funds, exhibit his, her or their bill in the high court of chancery, or in his Majesty's court of exchequer at *Westminster*, in order to litigate the same, he, she or they shall forever then after be debarred therefrom; and at any time after the end of such five years (no bill being exhibited as aforesaid) such money so invested in the publick funds shall be paid, on the securities for the same assigned to such mortgagee or mortgagees, or their legal representative or representatives; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Possessor to deliver up the premises, upon 21 days notice;

and on refusal, the sheriff is to deliver the same.

V. And be it further enacted, That all and every person and persons who is, are or shall be in possession of the lands and premises, or any part thereof, so to be purchased by the said commissioners or governors, or any seven or more of them, or for which any purchase-money shall be so assessed or awarded as aforesaid, shall, upon twenty one days notice in writing, left at or affixed on the said premises, or any part thereof, peaceably and quietly deliver up the possession of the said premises to the said commissioners or governors, or any seven or more of them, or to any person or persons who shall, by the said commissioners or governors or any seven or more of them, be authorized to receive the same; and in case any person or persons shall refuse so to do, that it shall and may be lawful to and for the said commissioners or governors, or any seven or more of them, to issue their precept or precepts to the sheriff of the county of *Kent*, to deliver possession of the premises to such person or persons as shall in such precept or precepts be nominated to receive the same; and the said sheriff is hereby required to deliver possession thereof accordingly, and to levy such costs, which shall accrue from the issuing and execution of such precept or precepts, on the person or persons so refusing to give possession as aforesaid, by distress and sale of his, her or their goods.

Monies paid to bodies corporate, or other trustees, to be laid out in the purchase of lands, &c.

VI. And it is hereby further enacted and declared, That all and every sum and sums of money, to be paid to any body corporate or collegiate, corporation aggregate or sole, feoffee or feoffees in trust, guardian, committee, or other trustee or trustees, in pursuance of this act, shall be by them respectively laid out in the purchase of lands, tenements and hereditaments, and settled to and upon, and subject to such titles, uses, trusts, limitations, remainders and contingencies, as the said lands and premises, so to be purchased by the said commissioners or governors as aforesaid, were settled, limited and assured at the time of such sale so made respectively, and shall and may be held and enjoyed accordingly; and that in the mean time, until such purchase made, such money shall be vested in some of the publick funds or government securities at interest, and the interest shall be paid to such person or persons as would have been intitled to the rents and profits of such lands, tenements and here-

ditaments so to be purchased, in case the same were purchased and settled pursuant to the true intent and meaning of this act.

VII. And it is hereby enacted and declared, That in case of any default of a sufficient number of jurymen to be sworn, pursuant to this act, the Sheriff for the county of *Kent* shall return other honest and indifferent men of the standers-by, or that can speedily be procured to attend that service, subject to such challenges as aforesaid; and the commissioners or governors, or any seven or more of them, shall from time to time have power to impose any reasonable fine on the said sheriff, his under-sheriff, bailiffs or agents respectively, or on any of the persons who shall be summoned and returned on such jury or juries as shall not appear or refuse to be sworn on such jury, or being sworn, shall refuse to give a verdict, or in any other manner wilfully neglect his duty, contrary to the true intent and meaning of this act; and likewise upon such person or persons summoned to give evidence, who shall refuse to appear or give evidence, and from time to time to levy such fine or fines, by warrant or warrants under the hands and seals of the said commissioners or governors, or any seven or more of them, by distress and sale of the offender's goods, rendering the overplus, if any; and all such fines shall be applied to the use of the said royal hospital.

In default of jurymen, the sheriff may return standers-by.

Sheriff, and other persons neglecting their duty, may be fined.

VIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners or governors of the said royal hospital, or any seven or more of them, to purchase any other messuages, lands, tenements or hereditaments, which shall be thought necessary for the finishing the said royal hospital, according to the said plan; and that it shall and may be lawful to and for all bodies politick, corporate or collegiate, corporations aggregate or sole, mortgagee or mortgagees, trustee and trustees, feoffee and feoffees in trust for any charity or otherwise, guardian or guardians, committee or committees of any infant, idiot or lunatick, and all executors and administrators, and other persons whatsoever, not only for and on behalf of themselves, their heirs and successors, but also for and on behalf of their cestuique trusts, and the respective mortgager and mortgagers, and other person and persons intitled to any equity of redemption, who are or shall be seized or possessed of or interested in any such houses, lands or hereditaments, to convey the same respectively to the said commissioners or governors, or any seven or more of them, or to such person or persons as the said commissioners or governors, or any seven or more of them shall appoint, in trust for the said commissioners or governors; and that all contracts, agreements, bargains, sales and conveyances which shall be made by such person or persons as aforesaid, shall be good and valid in law, not only to convey the estate and interest of the person and persons conveying, but also to convey all right, estate, interest, use, equity of redemption, property, claim and demand whatsoever, of their several and respective cestuique trusts, whether infants, or issue unborn, lunaticks, idiots, or feme covert, or other persons whatsoever, and all claiming, or to claim, by, from or under them, or any of them: and the

Governors may purchase any other lands, &c. which shall be thought necessary, &c.

said premisses so conveyed shall be, and are hereby declared to be, vested in the said commissioners or governors, or in such person or persons as by the said commissioners or governors, or any seven or more of them shall be so appointed as aforesaid, from the time of such conveyance made, in fee-simple, freed and discharged of all claims, demands and equity of redemption, of all and every person and persons, either at law or in equity; any law, statute, usage or other matter or thing to the contrary thereof in any wise notwithstanding: and that all such persons as aforesaid, so conveying as aforesaid, are and shall be indemnified for what they do or shall do by virtue of or in pursuance of this act: and in case the said commissioners or governors of the said hospital cannot, on or before the twenty fifth day of *March* one thousand seven hundred and fifty seven, purchase such other messuages, lands and premisses as may be thought necessary for the finishing the said royal hospital according to the said plan, upon such terms as they shall think reasonable; that then, and in such case, it shall and may be lawful to and for the commissioners or governors of the said royal hospital, and they are hereby authorized and empowered to finish the said royal hospital in such manner as most conveniently may be, without waiting for or expecting to purchase any such premisses.

If such other lands cannot be purchased before 25 March 1757, the finishing the hospital not to be delayed.

Possession of the commissioners not to be disturbed

Claimants may sue the receivers of purchase money.

IX. And be it further enacted by the authority aforesaid, That the said commissioners or governors, or such person or persons to whom they, or any seven or more of them, shall appoint any conveyances to be made, or in whom the said premisses shall be vested by virtue of this act, shall not be disturbed or hindered in the quiet possession and enjoyment thereof, on pretence of any want of form or other defect in the proceedings hereby directed; but that it shall and may be lawful to and for any person or persons, barred of any right, title, interest, equity of redemption, claim or demand whatsoever, in, to or out of the said premisses, or any part thereof, to bring any action or actions for money had and received to his, her or their use, against any person or persons who received the purchase-money for such premisses respectively; and, on proof of such title as would have enabled them to recover such lands, tenements or hereditaments, or any part thereof, or any estate or interest in the same, that then and in every such case, they shall recover the said purchase-money, or so much thereof as shall be equivalent to their interest in the said premisses, together with such interest as shall be equivalent to their interest therein, which they might have been intitled unto in case this act had not been made.

Publick act.

X. And it is hereby further enacted and declared, That this act shall be deemed and allowed to be a publick act, and be judicially taken notice of as such, by all judges, justices and other persons, without specially pleading the same.

#### CAP. XLII.

An act for the more easy and speedy recovery of small debts in the town and port of Liverpool, and liberties thereof, in the county palatine of Lancaster.

CAP.

## C A P. XLIV.

*An act to explain and amend an act passed in the fifth year of his present Majesty's reign, intituled, An act to enlarge the pier and harbour of Scarborough in the county of York; and for making the said act more effectual.*

**W**HEREAS by an act made and passed in the fifth year of the reign of his present Majesty, intituled, An act to enlarge the pier and harbour of Scarborough in the county of York, it was enacted, That to the end that the said pier might be enlarged, extended and improved, and kept in repair, that from and after the twenty fourth day of June one thousand seven hundred and thirty two; until the twenty fourth day of June one thousand seven hundred and sixty three; and also from the said twenty fourth day of June seventeen hundred and thirty two, to the twenty fourth day of June seventeen hundred and eighty three, the several duties therein mentioned should be respectively answered and paid to the bailiffs and burgesſes of Scarborough aforesaid, and their successors, as they in common council assembled, or the major part of them, should from time to time, under their common seal, order and appoint; and by the said act several powers and authorities were granted to and vested in the said bailiffs and burgesſes, and their successors, for the better collecting the said duties, and carrying on the said work, and executing the several trusts thereby in them reposed: and whereas great frauds and abuses have of late years been committed in the execution of the several trusts reposed in the said bailiffs and burgesſes of Scarborough aforesaid by the said act, particularly by the misapplication of the sum of three thousand pounds, which had been raised by the said bailiffs and burgesſes of Scarborough, in common council assembled, by mortgage of the new pier duties payable at Newcastle; which said sum of three thousand pounds, and also the sum of three hundred and seventy nine pounds eight shillings and four pence, have been by the said bailiffs and some of the burgesſes and members of the said borough of Scarborough, applied in discharge of their own bonds and private debts and engagements, or retained in their hands, and no part thereof applied according to the directions of the said act; whereby the works of the said pier have been in a great measure neglected, and the laudable intentions of the legislature frustrated, and rendered ineffectual, to the manifest detriment of the publick: to the end therefore that the like frauds and abuses may be prevented for the future, and that the several sums of money arising from the several duties given and granted by the said last recited act, for and towards the enlarging, extending, improving and repairing the said pier, may be duly applied to the purposes designed by the said act, and for the better maintaining and supporting the harbour of Scarborough aforesaid; which cannot effectually be done, but by divesting the said bailiffs and burgesſes of all powers and authorities given them by the said act, and by vesting the same in other trustees; may it please your Majesty that it may be enacted, &c.

The

The powers granted by the recited act to the bailiffs and burgessees to cease. New commissioners appointed; with power to audite the accounts of all monies received and disbursed by virtue of the recited act. Duties and forfeitures to be paid to the commissioners or their order. The commissioners at their first meeting, to choose a clerk, surveyor and receiver of the duties. Accounts to be stated yearly, and to lie open for public inspection. Accounts to be laid before the justices, and passed by them. 5l. Penalty on persons prejudicing the harbour by emptying ballast, &c. or otherwise, and to be levied by distress and sale. For want of distress the offender to be committed. Stones may be taken from waste grounds &c. for the works of the pier, paying 5s. by the year to the corporation. Bailiffs, &c. to deliver upon oath, all books and writings relating to the duties, on penalty of 20l. Bailiffs, &c. not repaying their proportions of the monies misapplied, or retained in their hands, with interest, may be sued by the commissioners, and the charges thereof to be paid out of the duties, &c. No part of the act of 5 Geo. 2. hereby repealed, except what relates to the appointment of the bailiffs, &c. The powers thereby granted, to vest in the commissioners. Rights, &c. of the burgessees reserved.

## CAP. XLV.

An act for the more easy and speedy recovery of small debts within the city and county of the city of Canterbury, and the liberties and precincts of the same.

## CAP. XLVI.

An act for repairing and widening the road from Alemouth through the town of Alnwick to Rothbury, and from thence to the town of Hexham; and also the road leading out of the aforesaid road between Alnwick and Rothbury, to Jockey's Dike Bridge in the county of Northumberland. *Certain tolls granted for 21 years.*

## CAP. XLVII.

An act for repairing and widening the roads from the east end of Monk Bridge, near the suburbs of the city of York, to New Malton, and from thence to Scarborough in the north riding of the county of York; and also from Spittle house, in the east riding of the said county, to Scarborough aforesaid. *Certain tolls granted for 21 years.*

## CAP. XLVIII.

An act for repairing and widening the road leading from a part of the road (directed to be repaired by an act passed in the last session of parliament, from Carlisle to Newcastle upon Tyne) near Glenwelt, to another part of the road (so making from Carlisle to Newcastle) upon Shildon Common in the county of Northumberland. *Certain tolls granted for 21 years.*

## CAP. XLIX.

An act for repairing the high road from the town of Shrewsbury, through Cressage, Harley, Much Wenlock, by Muckley Cross, and through Morville to Bridgenorth in the county of Salop. *Certain tolls granted for 21 years.*

## CAP. L.

An act for repairing the roads from the north end of Malsing Street, near the town of Lewes, to Witch Cross, and from the north end of Malsing Street aforesaid, to the Broil park gate; and from Offham to Witch Cross aforesaid, all lying within the county of Sussex. *Certain tolls granted for 21 years.*

## CAP. LI.

An act for amending and making more effectual several acts for amending the roads from the city of London to East Grinstead in the county of Sussex; and to the towns of Sutton and Kingston in the county of Surrey; and for more effectually repairing the road from Newington through Camberwell in the said county to New Cross in the county of Kent;

An act for repairing and widening the road from Camberwell Green to the Fort in the Hill in the parish of Camberwell. *The act 6 Geo. 2. c. 26. amended.*

CAP. LII.

An act for widening and repairing the road from Combe Bridge in the county of Somerset to Bradford in the county of Wilts; and from thence through Hilperton; and so far over Ashton Common as to join the road which leads from Steeple Ashton to Trowbridge; and also the road leading from Bradford aforesaid to Cockhill Gate in the said county of Wilts. *Certain tolls granted for 21 years.*

CAP. LIII.

An act for repairing the road from Knaresborough in the county of York, by Longflat Lane, Gouldsborough Fields, Flaxby, Allerton, Maulaverrer, and Scate Moor; to Green Hammerton in the same county; and for making the same a high carriage road. *Certain tolls granted for 21 years.*

CAP. LIV.

An act for amending the several roads leading from the town of Taunton in the county of Somerset. *Certain tolls granted for 21 years.*

CAP. LV.

An act for explaining and amending so much of an act passed in the fourteenth year of the reign of his present Majesty, for the repairing and enlarging the roads from the town of Selby in the west riding of the county of York to the town of Leeds, and from thence in two several branches, one through Bradford and Horton, and the other through Bowling and Wibsey, to the town of Halifax in the same riding, as relates to that part of the said roads which lies between Leeds and Halifax. *The act 14 Geo. 2. c. 32. amended.*

CAP. LVI.

An act for repairing the several roads leading from the town of Bromyard in the county of Hereford, to the several places called the Halfway Ash in the parish of Docklow, Herefordshire Lake in the parish of Whitburne, Perry Bridge in the parish of Stoke Blis, leading through the several parishes of Edwin, Ralph, Collington, and the hamlet of Little Kyre, Sapey wood in the parish of Upper Sapey, Bishop's Froome, Wooswood Gate, and Herefordshire Lake, in the said parish of Bromyard, in the counties of Hereford and Worcester. *Certain tolls granted for 21 years.*

CAP. LVII.

An act for repairing and widening the road leading from Market Harborough in the county of Leicester through Desborough, Rowell, Kettering, Barton Seagrave and Thrapston in the county of Northampton, and through Bythorne, Spaldwick and Ellington, to the Pound in the parish of Blampton in the county of Huntingdon. *Certain tolls granted for 21 years.*

CAP. LVIII.

An act for repairing the roads from the town of Leeds, through Harwood, to the south west corner of the inclosures of Harrowgate, and from thence in two branches (one through Riply over Burage Green, and the other through Knaresborough and Boroughbridge) to Ripon, and from thence to the first mill of water, or watercourse, on Hutton Moor in the county of York, and for repairing the sloughs or cuts on the said Moor. *Certain tolls granted for 21 years.*

CAP. LIX.

An act for repairing and widening the roads leading from Chippenham in the county of Wilts to the top of Togg Hill in the county of Gloucester; and from Chippenham Bridge aforesaid to the top of Old

Anno vicesimo quinto GEORGE II. c.60. 1752  
Old Sodbury Hill in the said county of Gloucester. *Certain tolls granted for 21 years.*

CAP. LX.

An act for repairing and amending the several roads leading from the west end of Upton Bridge in the county of Worcester to the parish of Tisley in the county of Gloucester, and to the parish of Colwall in the county of Hereford; and to the further side of a place called The Rid Green, in the road to the city of Worcester, and through a place called Roberts End Street to Malvern Chase in the said county of Worcester. *Certain tolls granted for 21 years.*

*The END of the Twentieth Volume.*











